

Best Practices

An overview of

Equal Opportunities

the Netherlands

in Firms

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Table of Contents

Preface	
Chapter 1 Conceptualising equal opportunities policies	1
What are equal opportunities policies	1
Four pillars	2
Outline of the report	4
Chapter 2 Women at work in the Netherlands	6
Introduction	6
Women's employment	6
Part-time employment	7
Chapter 3 Equal opportunities legislation	10
Introduction	10
Reconciling work and family life	10
Strengthening women resources management	13
Degendering organisational cultures	16
Equalising pay and working conditions	18
Conclusion	19
Chapter 4 Equal opportunities in collective bargaining	21
Introducing the industrial relations system	21
Reconciling work and family	24
Strengthening women resources management	29
Degendering organisational cultures	30
Equalising pay and working conditions	31
Conclusions regarding collective bargaining	35
Chapter 5 Equal opportunities policies in firms	37
Introducing equal opportunities policies in firms	37
Reconciling work and family	45
Strengthening women resources management	49
Degendering male-oriented organisational cultures	55
Equalising pay and working conditions	60
Conclusion regarding equal opportunities in firms	61
Chapter 6 Which firms have equal opportunities policies and which have not?	64
Theorising equal opportunities policies	64
Data and assumptions	65
Policies for reconciling work and family life	66
Policies to strengthen women resources	68
Conclusion	71
Chapter 7 Equal opportunities policies in banking	72
Market structure	72
Industrial relations	73
Structure of the workforce	74
Equal opportunities policies	75
Some reflections on the future	77
Chapter 8 Conclusions about equal opportunities policies	78

References 80

Preface

This report is part of an international research project including Austria, Greece and the Netherlands. The project aims at the Fourth Medium Term 1996-2000 Community Action Programme for Equal Opportunities between Women and Men, and is financially supported by the European Commission (05D05, Akte Nr. SOC 98 100557). It is also funded by the Austrian Ministry of Labour, Health and Social Affairs, and by the Vienna City Council (Magistratabteilung 57). The research project was supported by the Gewerkschaft der Privatangestellten (GPA), the Austrian Union of Salaried Private Sector Employees, and by OTOE, the Greek Federation of Bank Employees Union. At European level, the project was supported by the European Women's Network of FIET, the International Federation of Commercial, Clerical, Professional and Technical Employees.

The research was carried out by research teams from Austria, Greece, and the Netherlands. It was conducted under the auspices of Mag. Andrea Holzmann-Jenkins, head of the Sozialökonomische Forschungsstelle (SFS), in co-operation with Mag. Ruth FINDER, heading the Interdisziplinären Forschungszentrum (WAS), both in Vienna, Austria. For Greece, Dr. Maria Dotsika of the University of Chania was involved in the project. The Dutch project team consisted of three persons. Dr. Kea Tjens acted as project leader and researcher. Currently, she is research co-ordinator in the Amsterdam Institute for Advanced labour Studies (AIAS), an interdisciplinary academic institute of the University of Amsterdam. Türkan Cüvenç, research assistant, has contributed largely to the project by searching the documents and the information that have been used in this report. Finally, Drs. Froukje Mebius did the financial and secretarial part of the work. Thanks are extended to Drs. Ina Sjerps, director of AIAS, for help and comments regarding chapter 3.

Nowadays, interest in equal opportunities policies in firms has slightly declined in the Netherlands, probably because of 'mainstreaming policies', or because many demands posed in equal opportunities programs have been fulfilled. Within the framework of this project, it became clear that there was no need for activities to support initiatives for equal opportunities programs. Yet, the key actors involved in this particular field expressed an interest in having an analysis of the equal opportunities programs implemented in organisations so far, including a conceptual framework for interpreting the results of these programs. There was also a need for an English report on equal opportunities policies in the Netherlands for use in international bodies. This report aims to provide such an overview.

Chapter 6 of the report is based a data-set on Annual Social Reports. This data-set was compiled for the *New organisational forms and workers of the future* research program, in which the University of Amsterdam, the University of Utrecht, the Erasmus University Rotterdam and Tilburg University participate. This research program was funded by the Netherlands Organisation for scientific Research (NWO/ESR grant no 510-02-0305).

In the Netherlands, equal opportunities programs are well documented by the national archive for women, IIAV, that provides information and documentation on women. Thanks are extended to the IIAV for providing extensive information.

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Chapter 1

Conceptualising equal opportunities policies

Since the early 1980s, equal opportunities programs were found in a growing number of firms and institutions in the private and public sector in the Netherlands. These programs are well documented and several projects have been evaluated. This report seeks to contribute to our understanding of the extent of these policies, its nature and its impact. The recent debates on mainstreaming equality, that is to incorporate equal opportunities issues into all actions, programs and policies, stresses the need to examine these policies. Therefore, this report aims to identify and evaluate existing models of equal opportunities policies in organisations in both the public and the private sector, the conditions under which organisations do have equal opportunities programs and the conditions under which these programs are likely to be successful.

What are equal opportunities policies

What exactly are equal opportunities policies? When examining equal opportunities policies we found that the goals varied substantially among organisations. The police forces and the armed forces have set up equal opportunities programs to integrate female police officers and female military staff in overwhelmingly male-oriented organisational cultures. The banking sector has set up programs to enable female employees to progress their career within the hierarchy. In the public sector, focus was predominantly on regulations enabling the reconciliation of work and family. In manufacturing industry, focus has been on rewarding requests for reduced working hours, because the organisational culture was oriented towards full-time jobs. In general, attention to equal opportunities policies rose when labour was in short supply, and declined in periods of abundant supply.

When examining equal opportunities policies we also found that its meaning had changed over time. In the 1970s, the key words were equal pay and equal rights, and policies primarily aimed to changes in legislation. In the 1980s, the key word shifted to positive action, and the playground switched to personnel policies in firms. In the 1990s, the key word was equal opportunities, and the playground moved to collective bargaining. Towards the millennium, the key word shifted to mainstreaming. Now the main

playground switched to the administrative bureaucracies. To understand the variety of equal opportunities policies, we need an analytical framework.

In this report, the term equal opportunities will be used to cover all types of policies in legislation, collective agreements and in firms to promote equality between women and men. Equal opportunities policies not necessarily have to be a coherent program. It is the term we will use to refer to whatever policies to reach the final goal of equality between the sexes in working life. In analysing equal opportunities, we will have to distinguish between several types of policies.

Rees (1998, Ch. 3) distinguishes three broad approaches to equal opportunities. First, equal treatment. Second, positive action and discrimination. Third, policies of differences. Whereas equal treatment relates to the concept of equality of opportunity, positive action refers to creating conditions more likely to result in equality of outcome by equalising starting positions. Whereas equal treatment relates to a concept of justice, positive action relates to a toolkit, including training, measurements, and assistance to women. Positive discrimination seeks to bring about changes in the status quo through mechanisms designed to increase the participation of the under-represented group. In the US, affirmative action measures allow for positive discrimination in some areas of employment in favour of women or members of minority groups.

The policies of differences recognise diversity, rather than seeking to assist women to fit into male institutions and cultures. According to Rees (1998, 40) this is called a policy of mainstreaming equality. These include specific measures to promote equality for women and men. Oosterhuis-Geerts (1993: 133) distinguishes four pillars of what she calls 'integration' policies. She prefers this wording rather than positive action, because it incorporates emotional feelings. She distinguishes four approaches, notably measures aiming at fringe benefits, such as short-term or long-term leaves, measures aiming at women resources management, such as entrance into management development programs, measures aiming at formalising procedures such as recruitment procedures or the appointment of a positive action officer, and finally measures aiming at changes in the organisational culture. We will adapt this scheme.

Four pillars

In conceptualising the aims of equal opportunities policies, we will distinguish four pillars (see figure 1.1). A set of equal opportunities policies consist of measurements and regulations, either at the national level, at the level of collective agreements or at the enterprise level.

The first pillar concerns the policies that aim at the reconciliation of work and family life. These policies include regulations such as maternity leave, parental leave, short- or long-term leave in case of sick relatives, day care facilities, and working time regulations, including flexible hours or part-time jobs.

The second pillar concerns the policies to strengthen women resources management. These policies aim at an increase in the share of both female employees and a female employees at higher level positions.

These policies include setting target numbers, recruitment of female employees, entrance into job related training programs and into management development programs, career counselling and mentoring systems, and policies to prevent female employees from quitting the company.

The third pillar concerns the policies towards degendering organisational culture. These policies aim to change the gender-stereotype thinking and behaviour within the organisation. The policies also include strategies to prevent sexual intimidation and sexual harassment. Finally, policies in this pillar include adaptation to female-oriented values, such as co-operation instead of competition, and equal representation of women in decision-making bodies.

The fourth pillar concerns measures that aim at equalising gender-differentials. These policies aim at pay differentials, differences in working conditions, difference in fringe benefits, or pensions schemes. This can also include a review of job classification systems.

Figure 1.1 Four pillars of equal opportunities policies in legislation, in collective bargaining and in enterprises

Reconciling work and family	Strengthening women resources management	Degendering organisational cultures	Equalising pay and working conditions
maternity and parental leave	preferential treatment for women	measures to prevent sexual harassment	equal pay for equal work
short- or long-term leaves for sick relatives	recruiting women for male-dominated jobs	measures to change gender stereotype thinking	reviewing job classification schemes
day care facilities	career counselling and mentor systems	adaptation to female-oriented values	equalising part-time and full-time jobs
flexibility in working hours	setting target numbers	equal representation in decision-making bodies	equalising pension rights
enabling part-time employment	career paths in female-dominated jobs		equalising fringe benefits

Outline of the report

In chapter 1, equal opportunities are conceptualised according to four pillars.

In chapter 2, women's employment is sketched briefly.

In chapter 3, equal opportunities legislation is central. Equal opportunities legislation is discussed according to the four pillars distinguished in chapter 1

In chapter 4, equal opportunities clauses in collective bargaining are examined, again according to the four pillars. Focus is on the type and spread of equal opportunities clauses in bargaining agreements.

Chapter 5 focusses on equal opportunities policies in organisations, be it private firms or public institutions, according to the four pillars.

Chapter 6 deals with the issue which firms have equal opportunities policies and which have not, based on statistical analyses using the data-set with 1996 data from 308 firms.

Chapter 7 concentrates on equal opportunities policies in banking. Focus is on both firm-specific policies and implementation of collective agreements related to equal opportunities.

Chapter 8 draws conclusions about best practices of equal opportunities policies.

Chapter 2

Women at work in the Netherlands

Introduction

Before turning to the analysis, we will present some features of the Dutch labour market. To the end of the 1990s the population of the Netherlands reached at nearly 16 million. During the century, population has grown tremendously from 5.1 million in 1900 and 10.0 million in 1950 to 15.6 million in 1998.

Registered unemployment rose from 5 percent in the mid-1970s to more than 15 percent because of the economic crisis in the early 1980s and decreased back to 5 percent in the mid-1990s. As a consequence of favourable economic development, since 1993 employment continuously increased. By 1997 the labour force totalled 6.9 million, of which 2.7 million women. In particular, women's employment has grown. In 1994, this figure was still 2.4 million. Unemployment fell to a level which is low by European standards.

Women's employment

During the post-war period women were supposed to contribute to the rebuilding of society by setting up a family, and many of them did, as the baby boom in the late 1940s and early 1950s shows. The vast majority of women left the labour market on the day of their marriage to become full-time, permanent housewives. The breadwinner system was set up in industrial relations, in wage policies as well as in general attitudes towards gender roles; male workers were supposed to earn the family wage. In this decade, the breadwinner system had become the dominant pattern. From the 1960s onwards, this breadwinner/housewife model came under pressure, initially because of labour market shortages. Increasingly, employers asked their female employees not to quit when marrying, but to stay until they had their first child. Second, they recruited among housewives with grown-up children who were offered part-time jobs.

In the 1970s, when fast increasing numbers of young women had better education than ever before, they refused the perspective of becoming a full-time housewife after marrying. The women's movement

expressed these feelings. Moreover, family planning was largely available since the introduction of the pill. In 1973, the pill was already used by more than one million women. On the other hand women in their forties and fifties faced an 'empty nest'. This was at a younger age than ever before. This group of women aimed to re-enter the labour force, but they preferred part-time jobs over full-time jobs for three reasons. First, in general breadwinners' wages were sufficient for family needs, but women had a temporary need for extra money because in large number they wanted their children to be better educated than themselves. In a part-time job earnings would be sufficient for this desire. Second, they needed time for their housework and domestic help was not available, thus part-time employment was a condition to enter the labour market. Third, part-time jobs became available increasingly, because the trend was set in the 1960s already.

At the turn of the 1970s, women who gave birth increasingly tried to prevent a career break, and wanted to stay in the labour market. There may be three reasons for this. Firstly, high unemployment levels at the time reduced women's chances of reentering the workforce with a comparable job, and it increased the likelihood of an unemployed husband. Secondly, an increasing share of the female work force performed skilled jobs. Thus, the opportunity costs of a homemaker career increased. Thirdly, periods away from the labour force would cause loss of skills and thus depreciation of human capital, which would depress women's wage levels at re-entry.

Part-time employment

Since the early 1980s, the women aiming to remain in the labour market did so under condition that they could reduce working hours in their current job. The women had several reasons. The absence of extended families and thus insufficient informal day care, a highly cultivated motherhood culture, insufficient formal childcare facilities, and the absence of domestic help influenced women's preferences to work part-time instead of full-time. It was not until 1989, that political pressure led to the a government decision to subsidize day-care centres. In growing numbers, female workers succeeded in requesting employers to reduce working hours.

Increasingly, employers have adapted to these requests, and the majority of these women remained in the job they already had. In the early 1980s, some employers allowed a reduction in the individual's working time as their main strategy against union demand for a shorter working week. Then, increasingly, employers preferred skilled female employees to remain working part-time rather than not working at all because of their investments in women's training and qualifications. Since the late 1980s, employers were pressed by the unions who in turn came under pressure from their own women's groups. In collective bargaining increasingly agreements were reached on the principle of reducing individual working hours when requested. In the early 1990s, some categories of employers were eager to bring staffing levels in line with the supply of work; part-time jobs fitted this strategy perfectly. Yet nowadays, particularly in

health care and education, the number of part-timers has grown so much that the organizational span of control limits further growth in part-time work. Finally, to fight unemployment, government put pressure on employers to create part-time jobs.

Nowadays, the dominant strategy of Dutch working women wanting to have a baby is the part-time strategy: three out of four prefer to continue their job, but the vast majority of them only want to continue if they can reduce working hours, usually by half.¹ Furthermore, women who received reduced hours before are now requesting for extended working hours. Although women's participation rate used to be rather low in the Netherlands, it has increased to the average levels of the European Union these days. Regarding the supply side of the labour market, the major factors have been the fast increasing educational levels, decreasing family size, and fall in household time, caused by better housing, domestic equipment, heating with gas instead of coal, etceteras. Regarding the demand side of the labour market, major factors were the increasing demand for labour in female-dominated jobs as well as an increasing demand for part-time labour.

Thus, part-time jobs are decreasingly introduced because of an employment strategy and increasingly as employees' wishes. For example, in the banking sector part-time work predominantly was key-entry, whereas nowadays it can be found in nearly all jobs. Among the employees asking for reduced hours, skilled women are over represented. Nowadays, part-time jobs are no longer the marginalized jobs as they once were, nor is part-time work increasing predominantly in low-paid and low-status female-dominated occupations. Indeed, the evidence shows the contrary. Part-time work enables life course employment with the same employer and thus to tenure benefits. If women are in a disadvantaged position because of domestic responsibilities, part-time work reduces the need to seek a new job after a spell out of the labour market. For the female work force, hourly wages and job security hardly differ between part-timers and full-timers, although between sectors some differences may be found.

The acceptance of the reduction of working hours did not happen simultaneously in all industries and occupations. Part-time work was accepted in health care and education at a very early stage, whereas in the manufacturing industry and in secretarial work it was accepted later. The latter is perhaps best explained by managers' strong preferences for their secretary to be present full-time.

The Netherlands is well-known for the highest part-time rate among female workers in the European Union (OECD, 1994). This has been steadily increasing since the late 1970s. In 1995, almost three out every five working women worked between 12 to 34 hours a week (58%), whereas in 1988 this percentage was 50%. It is less well-known that in the Netherlands full-time and part-time jobs hardly differ in terms of pay levels and working conditions.² In comparison to other EU member states, the presence of

¹ Tijdens et al, 1994

² Plantenga & Van Velzen, 1993

children under the age of 15 in the household is the best predictor for Dutch female workers to be in part-time employment (Tijdens, 1998a). It has become more common for female employees to negotiate their working hours individually, depending on the family phase. Part-time work is to be found predominantly in female-dominated occupations, although nowadays it is becoming more common in male-dominated occupations too. Segregation tends to be higher in part-time jobs (Hakim, 1993). Therefore, the fast-increasing part-time rates may explain why segregation indexes have risen, whereas they have decreased in all surrounding countries (European Union, 1993).

Chapter 3

Equal opportunities legislation

In this chapter, the equal opportunities policies in legislation will be discussed according to the four pillars distinguished in chapter 1. Focus will be on the nature of equal opportunities policies in legislation. The sections are based upon a review of literature and press releases from actors involved in this field, enabling updates of previous studies on particular issues.

Introduction

Article 1 of the Dutch Constitution prohibits discrimination on the grounds of religion, belief, political opinion, race, sex or on any other ground. All people in The Netherlands shall be treated equally in equal cases. The text of this provision was derived from and strongly resembles the text of article 26 of the United Nations Covenant on Civil and Political Rights. Yet, the inequality between women and men at work not solely rises from direct discrimination. The factors lying behind this inequality refer to a broad range of mechanisms in the labour market and in organisations, but also in households and in education. However, legislation frames attempts to equalise these gender differences.

The feminist and women's movement in the late 1960s, early 1970s made it very clear that government needed to respond to changes in society. Among others, they aimed for equal rights. In 1974, an Equal Opportunities Commission was set up as an advisory body and since 1978 government made funds available to stimulate equal rights policy throughout society. Subsequently other measures were to follow, which increasingly aimed at women in paid employment. In the 1980s and 1990s many acts passed parliament. These acts will be summarised here.

Reconciling work and family life

Within the pillar of reconciling work and family life, we distinguished several features: maternity leave, parental leave, short- or long-term leave in case of sick relatives, day care facilities, flexibility in working hours and allowing part-time employment. In legislation all these issues got substantial attention throughout the 1980s and 1990s.

Subsequently, these features will be discussed below.

Leave regulations

For many years, maternity leave used to be 12 weeks. It was not until 1990 that this leave was extended to 16 weeks, being still one of the shortest in the European Union.³ Besides EU-directives, the main reason was that research had shown that women were likely to extend their short maternity leave by using sickness leave or vacation days.⁴ In fact this legislation legitimated existing practices.⁵ Maternity leave is applicable to women in wage employment. A 100% replacement rate applies, paid according to the Sickness Benefits Act. Self-employed women and co-operating wives, in particular in the agricultural sector, demanded for paid maternity leave. Since 1998, this is the case.

In 1991, the Parental Leave Act became effective. It entitles both women and men in wage employment to an unpaid parental leave for a continuous period of at maximum six months, provided that the employee continues to work at least 20 hours a week. Altogether, employees are entitled to take at maximum of 520 hours of leave. The Act was only applicable to employees who have been employed for at least one year in a job of 20 hours or over. In 1997, the strict clause regarding the continuation to work at least 20 hours was left.⁶ Now, both parents are entitled to a half time leave of altogether 520 hours, to be taken within a period ranging from three to more than six months. For parents of children aged 4 to 8, are entitled to flexible leave arrangements. The leave arrangements are not transferable between parents.

In February 1999, the secretary of state for women's affairs announced the Act on Reconciling Work and Family Life.⁷ According to this proposal, employees will be entitled to 10 days of paid leave when they have to care for a sick relative. In case a long-term leave period is desired, the employer is obliged to meet this request, but is not obliged to pay the absent hours. These proposals reflect more or less the beneficial leave regulations for the public sector, as agreed upon between employers and unions in this sector. Within two days, the employers' association VNO-NCW declared to be fully against the paid ten-day leave arrangement, because this would increase the firms labour costs.⁸ Meanwhile, the Ministry of Finance had changed the taxation legislation, making fiscal arrangements for employees who wanted to save up to 10 percent of their brut annual wage for future unpaid leave.⁹ Discussion continued after finishing this report.

³ OECD, 1990, Ch. 5;

⁴ Van Amstel et al., 1988

⁵ Van den Berg, Bock & Hövels, 1991

⁶ Cremers, E. & Y. Konijn. 1999. Kroniek arbeidsrecht. *Nemesis*, 15(2), 52-60

⁷ Verstand: meer recht op zorg- en adoptieverlof. In *Volkskrant*, 99-02-18

⁸ Werkgevers fel tegen tien dagen betaald zorgverlof. In *Volkskrant*, 99-02-20

⁹ Sparen voor onbetaald verlof. In *Avanta*, 99-04

Day care facilities

Women's rising participation rate, in particular due to women with young children, caused a fast growing demand for child care facilities.¹⁰ The state used to finance playgrounds for children from 2-4 years, where they could play for a few hours a day. These facilities aimed at the children's development and were not intended for working mothers. During the 1980s, regardless severe pressure from women's organisations, trade unions, tripartite bodies and others, government kept its view that the care for children was solely the parents' responsibility. It was expected that private day care centres would come into being, because the demand for child care was estimated to be high. This did not happen, mainly because for the vast majority of mothers their earnings were not so high that money was left over. Thus, the care for children was predominantly arranged informally by the mothers' mothers, mothers-in-law or other relatives. The few subsidised day care centres were solely meant for children whose mothers were not able to take care of them, mostly for psychological reasons. In 1985, the care of 10,000 children, which is 1 percent of all children aged 0 to 5, was covered by day-care centres.

It was not until 1989, that the government changed views and decided to subsidise child care, under the condition that both employers and parents took part in the costs. A substantial increase in day-care facilities followed. In 1990, already more than 46,000 children made use of day care centres, the vast majority for two or three days a week. Three years later, their number had grown to 76,000 children, and again three years later, it was 104,000.¹¹ Nevertheless, during all those years, the supply of day care facilities never was sufficient to meet the demand, predominantly because of the fast increasing participation rates of mothers with young children. As it was in the 1980s, most of the child care is still provided by family and neighbours. In general, in countries where maternity and parental leave are short and unpaid, such as the Netherlands, the demand for child care will be high.

In 1996, government took measures to lighten the taxation burden for business. Firms were entitled to subtract 20 percent of their total child care costs from social security payments and 80 percent of total costs from taxation for profit.¹² Immediately, the number of places in day-care rose to 75,000, mostly because of the increase in firm-related places.¹³ On average, one place is taken by two children, because most children make use of day care for two or three days a week. The mothers' part-time employment leads to part-time use of day-care. Waiting lists were reduced to 30,000 children.

In 1998, the newly elected government agreed on expanding day care. Within a year, a plan was ready to finance an additional 71,000 places, of which 60 percent aims at primary school children. This policy aims at subsidising places for social assistance mothers, for extra possibilities for firms to subtract day care

¹⁰ This paragraph is based on Tjens & Lieon, 1993

¹¹ See table 39 (p. 506) in *Statistisch Jaarboek 1999*, published by Statistics Netherlands

¹² Fiscaal-vriendelijke kinderopvang. In *Forum*, 96-03-21

¹³ Decentralisatie van kinderopvang geëvalueerd. In *VWS Bulletin*, 98-01-22

costs from taxation, and for extra possibilities for families to subtract day care costs from income taxation.¹⁴

Working hours

For decades, working hours were regulated according to the 1918 Working Hours Act. According to this Act, working days should be eight hours. In 1996, the increasing demand for working-time flexibility from both employers and employees led to a total revision of this Act. The new Act aims to protect the 'safety, health and well-being of employees in relation to their work' and to promote the 'reconciliation of work and family life, as well as other responsibilities outside the workplace'.¹⁵ The impact of the Act as far as the latter is concerned is not clear yet.

In 1992, the Green Party proposed to entitle employees to reduce their working hours, but this proposal did not pass.¹⁶ Employers opposed. Many years of debates and seeking support resulted in a revised proposal, that was sent to parliament in 1998. A major change was that employees were not only entitled to request for reduction of their working hours, but also to request to enlarge their working hours. These requests have to be rewarded, unless the employer has serious objections, which he has to commit to paper. Lacking budgets can be an objection in case an employee wants more hours. The law only applies to employees who are employed at least for one year in the firm. The desire to change working hours has to be announced a few months in advance. Parliament will discuss the proposal in the near future.

Strengthening women resources management

Within the pillar of strengthening women resources management, we distinguished several features: preferential treatment, recruiting women for male-dominated jobs, career counselling and mentor systems, setting target numbers, and career paths in female-dominated jobs. Parliament did not pay very much attention to any of these issues, but when they did, it was predominantly by promoting policies through subsidies. Below, we will discuss the positive action program, the Opportunity in business initiative, and the campaign to stimulate girls to chose male-dominated occupations.

Positive action programmes

In 1984, the concept of positive action was first mentioned in parliamentary documents, partly because of

¹⁴ Opvang kinderen 80 procent uitgebreid. In NRC, 99-06-08

¹⁵ Bulletin on Women and Employment in the EU. October 1995

¹⁶ Tweede Kamer, 1992-1993, 23 216, nr. 1-3

an EU-directive on positive action plans.¹⁷ Soon after, central government implemented a positive action programme for its own staff, aiming at preferential treatment for job openings and at career counselling for women, but most of all aiming at a representative share of women at all levels of the organisational hierarchy. By 1995, 30 percent of all employees in central government had to be female. The Ministry of Home Affairs established a national information centre on positive action to consult the municipalities, provinces and water control boards for advice.

It was not until 1988, that the Positive Action Programme passed parliament.¹⁸ Among others, special attention was paid to positive action at work, to women as entrepreneurs, and to women in men's jobs. The four-year programme introduced a grants scheme for organisations that wished to carry out positive action programmes. These grants amounted to tens of thousands of Euro's per organisation. In 1992, the programme was continued for another two years.¹⁹ More than a hundred organisations made use of the grants.²⁰

Defining positive action in the European Union²¹

Positive action aims to complement legislation regarding equal treatment and comprises any measure contributing to the elimination of inequalities in practice. A positive action programme will allow an organisation to track down and eliminate every form of discrimination in its employment policy and to neutralise the effects of past discrimination. A positive action programme is a comprehensive planning process which an employer chooses to undertake in order to try and achieve a more balanced representation of women and men throughout the workforce and thus making possible a more efficient use of the available skills and talents in the work force.

Defining positive action in the Netherlands²²

Positive action is a coherent set of measures, aiming to improve the position of women within an organisation. The management will be held responsible for the execution of the measures within the applicable terms, and for the periodical evaluation of these measures in the light of the targets, which have to be as concrete as possible.

¹⁷ Hooghiemstra & Niphuis-Nell, 1993, 107

¹⁸ Stimuleringsregeling Positieve Actie, Tweede Kamer, 1987-1988, 20 343, nr. 1

¹⁹ Hooghiemstra & Niphuis-Nell, 1993, 107

²⁰ The effects will be discussed in detail in section 5.4.1.

²¹ Commission of the European Communities. 1988. *Report on the Implementation of the Promotion of Positive Action for women, 13 December 1984*. Brussels, p. 10

²² Tweede Kamer, 1987-1988, 20 343, no 1

The positive action programs made very clear that it was rather easy to meet goals such as the 30 percent of women in the central government work force, but that it was very difficult to reach a proportional share of women at all hierarchical levels. Quite common, the higher the grade, the lower the proportion of women. In order to increase women's entrance into higher grades, it became clear that other measures had to be taken. In the early 1990s, contract compliance was considered, but not agreed upon.²³ In the years to follow, tight co-operation with companies was assumed to be crucial. As a consequence, positive action plans came to an end as a government policy goal. At the same time, interest in equal opportunities in firms declined slightly, though in some organisations these policies were continued. Time was ready for an initiative focussing primarily on women's careering into higher level jobs.

Opportunity in Business

In 1996 *Opportunity in Business* was established.²⁴ It was shaped after the UK's *Opportunity 2000*, that in 1991 was launched by a business association and backed by the Prime Minister. Signatories to *Opportunity 2000* are predominantly large companies who are publicly committed to improving the proportion of women in middle and higher managerial levels through various forms of positive action.²⁵ The goal of *Opportunity in Business* is to ensure that, for economic reasons, employers make better use of women's potential by encouraging their recruitment and discouraging their departure.²⁶

Although originally initiated by the Ministry of Social Affairs and Employment, from the very beginning *Opportunity in Business* was meant to become an independent consultancy, predominantly financed by the members' fees. Two Ministries gave an initial subsidy. An increasing number of firms, particularly large firms, joined *Opportunity in Business*. Its consultants support members in analysing the work force on its gender characteristics, setting goals and targets for proportion of women in higher grades, and introducing a plan of action. Furthermore, *Opportunity in Business* maintains relationship with recruitment agencies for women, with management consultants, and others. The signatories agree upon the goals they want to reach regarding the recruitment, turnover and career steps of their female employees. Both saving recruitment and training costs and improved customers service are said to be goals. According to ABNAMRO's personnel director, one of the signatories, companies have to support these goals, because otherwise they will face problems related to their image, in particular problems regarding the labour market.²⁷

²³ Hooghiemstra & Niphuis-Nell, 1993, 107

²⁴ Opportunity in Bedrijf gestart. In *Op gelijke voet*, 1996;
Opportunity in Bedrijf geeft nieuwe kans op balans. In *Staatscourant*, 10-09-1996

²⁵ Rees, 1998: 35

²⁶ See the brochure *Opportunity in Business. Give Equality a Chance*. Amsterdam, 1996

²⁷ See the brochure *Opportunity in Business. Give Equality a Chance*. Amsterdam, 1996

Girls choosing exact

In the late 1980s, government set up a campaign to stimulate girls to chose male-dominated occupation. This turned out to be not very successful. At the end of the 1990s, no campaign results can be reported. According to a study on labour market perspectives, girls have no reasons to chose a technical education.²⁸ There are hardly any male-dominated types of education for which the adequate jobs show a sufficient number of job openings compared to the number of school-leavers, where girls do not have to play a pioneer role. Furthermore, these jobs appear to have a high sensitivity for economic recession. Most female-dominated types of education lead to jobs with both a sufficient number of job openings and a low sensitivity for economic recession.

Degendering organisational cultures

Within the pillar of degendering organisational cultures, we distinguished issues such as preventing sexual harassment, changing gender stereotype thinking, adapting to female-oriented values, particularly co-operation instead of competition, equal representation in decision-making bodies. Except for combating sexual harassment, in legislation very little attention is paid to these features. Unlike in other countries, the Netherlands have no legislation on equal representation in what ever bodies of decision-making.

Preventing sexual harassment at work

In the 1970s and 1980s, sexual harassment was not at all on the national political agenda, but this changed in the early 1990s. Being an offspring of the women's movement, women increasingly paid attention to the phenomenon, predominantly by raising awareness. Researchers published journal articles.²⁹ Local organisations issued information packages.³⁰ In 1985, the national *Foundation Hands Off* was established, aiming to increase awareness of sexual harassment at work.³¹ At local level similar organisations were established. Five years later, the foundation changed into a consultant agency, aiming to support personnel officers, union officials and works council members in their attempts to set up policies to prevent sexual harassment at work.³² Incidentally, this consultancy co-operated with the *Network for Equal Opportunities Officers*.³³ These organisations published reports, issued information

²⁸ Vlasblom, De Grip & Van Loo, 1997

²⁹ De Bruijn & Timmerman, 1986; Projectgroep Vrouwenarbeid, 1986

³⁰ Veenstra, J. (samenst.). 1986. *Voorlichtingspakket over ongewenste intimiteiten op het werk*. Groningen: Vrouw en Werk, 1986

³¹ Speech by Els Hoogerhuis at the opening meeting of the Foundation Hands Off (Stichting Handen Thuis) in Utrecht, 85-10-24

³² 'Ik wilde mensen aan het denken zetten'. Interview with Alie Kuiper in Avanta Magazine, April 1999: 40-42. See also the companies' bulletins.

³³ Buur, E. 1992. *Seksuele intimidatie en positieve actie*. Dordrecht: Landelijk netwerk positieve actie.

packages, held seminars, initiated test cases, and conducted research. Finally, victims were supported in bringing their case to court, often supported by most female social lawyers, although in many cases laws proved to be inadequate in this respect. From 1991 onwards, both the European Union and the Ministry of Social Affairs in the Netherlands issued information leaflets on the issue.

In 1990, for the first time sexual harassment was at the agenda of the *Labour Foundation*. Meanwhile, the European Union had developed guidelines to prevent sexual harassment at work.³⁴ The employers organisations and the trade unions agreed on the necessity of an effective approach to prevent sexual harassment. This recommendation was followed by an advise of the *Socio-Economic Council*, stating that sexual harassment should come within the scope of the Act on Working Conditions.³⁵ It was considered to be part of the employer's responsibility to provide a safe and healthy working environment. Soon after, changes in the Act were proposed aiming at preventing of sexual harassment, aggression and violence at work. In 1994, the Act passed.³⁶ According to subsection 2 of section 3, the employer must take care that the employee is protected against sexual harassment and its disadvantageous consequences. This particular clause is based on the European Code on Sexual Harassment.³⁷

Increased participation in decision making bodies

Although the topic of women's participation in decision making bodies has been discussed widely, there has hardly been a debate on quota's. Furthermore, no legislation has been proposed to increase the number of women in the decision making bodies. Systems regarding contract compliance are hardly known in relation to equal opportunities programs. Though there is no legislation in this respect, there is definitely a government policy towards stimulating women's participation in decision-making bodies.

This is a report of the lectures and workshops on seksual harassment and positive action in Utrecht, organised by the National Network Positive Action in co-operation with the Consultancy agency of Alie Kuiper

³⁴ Commission of the European Community. 1991. *Bescherming van de waardigheid van vrouwen en mannen op het werk: een gedragscode inzake maatregelen tegen sexuele intimidatie*. Brussels

³⁵ Sociaal-Economische Raad. 1991. Advies bestrijding seksuele intimidatie op de werkplek. The Hague: SER Publikatie 91/14

³⁶ Ministry of Social Affairs and Employment. 1994. *Seksuele intimidatie, agressie en geweld in de Arbeidsomstandighedenwet*. The Hague: SDU

³⁷ Commission of the European Communities. 1993. *How to combat sexual harassment at work: a guide to implementing the European Commission Code of Practice*. Brussels

Equalising pay and working conditions

Within the pillar equalising pay and working conditions, we distinguished issues such as equal pay for equal work, equalising part-time and full-time jobs, reviewing job classification, equalising fringe benefits and pension rights, etceteras. In legislation, substantial attention was paid to the first two features.

Acts on equal pay for equal work

In 1947, the social partners agreed upon the principle that the breadwinner's wage should be sufficient to maintain his housewife and two children.³⁸ In its attempt to rebuild society after the war, this view was fully supported by the government. As a consequence, women's wages were linked proportionally to men's wages. In the 1950s, employers preferred a proportion of 60 to 80 percent for women's wages, while the trade unions were in favour of 90 percent. The lowest proportion was found in the collective bargaining agreements in laundry, where until 1962 it was 66 percent. The highest proportion was found in cigar manufacturing with 92 percent and in banking and insurance with 90 percent. Throughout the 1960s, the principal of proportional wages was not tenable and in most collective agreements the proportion approached 100 percent. In 1971, even in laundries the last remaining wage inequality of 92.5 percent was removed

As far back as 1951, the International Labour Organisation (ILO) agreed on equal pay for equal work for male and female employees. Typical to the Netherlands, the government did not take action until the social actors had agreed upon the principle which took more than two decades. Minimum wages were introduced in 1966, but for men only. It was not until 1969 that the principle was also applied to women. By doing so, this was the first act incorporating the principle of equal wages for men and women.³⁹ In 1971, when all wage inequality was removed from collective agreements, government ratified the ILO convention. Yet, it lasted until 1975 that parliament passed the Equal Pay Act. Since the late 1970s, conscientious attempts have been made to remove other unjustified gender differences in legislation.

Acts on equal treatment

In 1976 and 1980, the Equal Pay Act was followed by two acts prescribing equal treatment at work in the public and private sector. According to these laws, women, be it individually or as a group, can submit complaints to the Equal Treatment Commission when feeling that they have been treated unfairly at work or paid unequally. In the late 1970s and early 1980s, the commission received quite a few complaints about equal pay, but towards the 1990s complaints about equal treatment got the upper hand, in

³⁸ This paragraph is based on Tijdens, 1993

³⁹ Pott-Buter, 1993

particular cases regarding recruitment and dismissals when a woman was pregnant.⁴⁰ Increasingly, it became clear that equal pay legislation would not solve the gender wage gap. This inequality had to be solved by the social partners in collective bargaining, not through legislation.

In 1989, the Equal Treatment Act passed, replacing the three before mentioned acts. In 1994, this Act was broadened.⁴¹ Now, it prohibits discrimination on the grounds of religion, belief, political opinion, race, sex, nationality, heterosexual or homosexual orientation or civil status. The Act applies to all public life, with the exclusion of the churches. It applies to the sphere of work, both in the public and private sector, and to the offering goods or services, including education. The threshold for bringing a case before the Equal Treatment Commission is low. Sanctions however, are a weak spot. Decisions of the Commission are non-binding.

Equalisation of part-time and full-time jobs

With the rise of part-time employment, awareness rose regarding the possibility of discriminatory clauses in Labour Law based on working hours. For example, part-time jobs up to 13 hours a week were excluded from regulations regarding the minimum guarantees for wages and holiday allowance. In 1993, the abolition of this so-called 1/3rd criterion in the Minimum Wages Act has been a major step forward.

In 1996, important changes in legislation came into force. A new act explicitly prohibits discrimination between full-time and part-time employees. Part-time workers in both the private and the public sector, including civil servants, are entitled to equal treatment with regard to terms of employment, access to, duration of and termination of labour relation, irrespective the number of hours they are employed, unless difference in treatment is objectively justified. It also covers holiday pay and entitlement, overtime payment and training. However, temp workers and employees on call are excluded. The system of enforcement and legal redress in relation to these provisions is the same as in the event of sex discrimination.⁴²

Conclusion

Article 1 of the Dutch Constitution prohibits all kinds of discrimination. Yet, the inequality between women and men at work does not rise predominantly from direct discrimination, except for dismissal because of pregnancy. The factors lying behind this gender-based inequality refer to a broad range of mechanisms in the labour market and in organisations, but also in households and in education. In chapter 1, four pillars of equal opportunities policies were distinguished. In legislation, major attention has been paid to two of

⁴⁰ Jaspers, Schippers & Siegers, 1987, for the period 1975-1981, and annual reports of the Commission covering the 2nd half of the 1980s

⁴¹ Algemene Wet Gelijke Behandeling, AWGB

⁴² Prechal, 1996

them, notably reconciling work and family life and equalising pay and working conditions.

Regarding the pillar of reconciling work and family life, this issue received substantial attention throughout the 1980s and 1990s. Legal maternity leave is 16 weeks, being one of the shortest in the European Union. A 100% replacement rate applies. The Parental Leave Act entitles both women and men in wage employment to an unpaid leave for a maximum of 520 hours. In February 1999, the secretary of state for women's affairs announced the Act on Reconciling Work and Family Life. Discussion continued after finishing this report. For child care, subsidies are available, both for firms to subtract their costs for child care arrangements for employees from taxes, and subsidies for lone parents under social assistance. Finally, the 1996 Working Time Act aims to promote the reconciliation of work and family life in decision making about working hours. In 1998, a proposal was sent to parliament to entitle employees to request for reduction or extension of their working hours. This Act is likely to pass.

Within the pillar of strengthening women resources management, we found hardly any legislation. When government paid attention, it was predominantly by promoting policies through subsidies. In 1988, the Positive Action Programme passed parliament, that run until 1994. Over a hundred organisations made use of the subsidies. Subsequently, in 1996, *Opportunity in Business* was established with financial support from the government. A major goal is to improve the proportion of women in middle and higher managerial levels.

Within the pillar of degendering organisational cultures, no legislation on equal representation in what ever bodies of decision-making exists. The 1994 Working Conditions Act forces employers to care that the employee is protected against sexual harassment and its disadvantageous consequences.

Within the pillar of equalising pay and working conditions, in legislation substantial attention was paid to these features. Legislation exists regarding equal pay for equal work, equal treatment and removing unjustified gender differences other than equal pay for equal work in legislation. With the rise of part-time employment, awareness rose concerning discriminatory clauses in Labour Law. A 1996 Act prohibits discrimination between full-time and part-time employees.

In the Netherlands, legislation hardly plays a role to force desired behaviour, when this behaviour is not a common practice. Thus, legislation predominantly plays a role in legitimating existing practices. As a consequence, legislation has an equalising role. When a certain practice has been adopted by a majority in the society, legislation plays a role to force parts of society that lag behind to adopt to these practices.

Chapter4

Equal opportunities in collective bargaining

Here we will discuss equal opportunities clauses in collective bargaining according to the four pillars distinguished in chapter 1. Furthermore, we will pay attention to differences according to sector. Focus will be on three issues of equal opportunities policies in collective bargaining. How widespread are equal opportunities clauses in bargaining agreements, now and in earlier days? What are typical clauses regarding equal opportunities in bargaining agreements? Can the effects of equal opportunities clauses in bargaining agreements be considered? This chapter is based on data that was collected in three ways. First, we used the reports produced by the Labour Inspectorate, a department of the Ministry of Social Affairs and Employment.⁴³ This department regularly examines developments in collective labour agreements and it surveys establishments when examining the implementation of collective agreements. Two times, the Labour Inspectorate has examined to what extent collective agreements include equal opportunity clauses. Second, we used a few reports assessing the equal opportunities clauses in collective bargaining agreements.⁴⁴ Third, we reviewed press releases, articles in papers, weeklies and monthlies. This method was used for the most recent collective agreements.

Introducing the industrial relations system

In the Netherlands, the industrial relations system consist of three levels of decision-making. First, legislation consists of Collective Agreements Act, the Working Time Act, the Working Conditions Act, etceteras. Before it comes to legislation, bi- and tripartite bodies of consultation usually advice government, such as the Socio-Economic Council with employers, employees and independent government appointees.⁴⁵ These bodies also play a major role when it comes to collective bargaining. Among these bodies, the Labour Foundation has proved to be the most important inter-sectoral

⁴³ Throughout the years, the name of the department changed back and forth. In this report, however, we will only use the word Labour Inspectorate.

⁴⁴ De Jong & Bock, 1995; Sloep, 1996; De Bruijn & Bleijenberg, 1996; Van den Brekel & Tijdens, 1999.

⁴⁵ In Dutch Sociaal-Economische Raad

consultation platform for policy co-ordination and wage-setting in the Netherlands.⁴⁶ Founded in 1945, the foundation is set up by the employers' and employees' associations. It is recognised by the government. Second, collective bargaining is the responsibility of the employers' and the employees' organisations, and takes place at industry or company-level. The Dutch system is considered to be an intermediary case in between countries locating bargaining primarily at firm level, and countries where bargaining primarily takes place at national level.⁴⁷ Third, within companies debates among employer and employees are regulated through works councils. In 2000, the Act on Works Councils will have its 50th anniversary.

The employers are well organised, mainly according to sector and to a lesser extent according to religious or ideological pillars.⁴⁸ Many of these organisations are affiliated to employers' associations, the largest is called VNO/NCW, organising about 90 percent of the large enterprises in the non-agrarian private sector. MKB-Netherlands is a confederation aimed at employers in small and medium sized enterprises and it organises approximately 35-40 percent of such enterprises. LTO-Netherlands is the association in agriculture, organising about 80 percent of the farmers.

At the employees' side, the FNV is the largest confederation. In 1998, the FNV membership was about 1.2 million.⁴⁹ This equals 64 percent of all Dutch unionists. The FNV is of social democrat and catholic origin, and after many mergers now two large trade unions are affiliated, covering most of the private sector and one covering most of the public sector, besides about ten small unions. The second confederation is the CNV, from protestant Christian origin. The CNV organises 356 thousand employees, which is 18 percent of all trade unionists. The third confederation is the MHP, aiming at high and middle level staff. Membership is 186 thousand, which is approximately 10 percent of all unionised workers. Altogether, 28 percent of the labour force is unionised.

For many years, a relatively stable unionisation of the female work force of about 15% has been shown. In contrast, unionisation of the male work force decreased strongly from 50 percent in 1960 to 35 percent in 1993.⁵⁰ Women's share in union membership has increased steadily. This applies to all three confederations. Since the 1980s, due to women's pressure groups within the trade unions, the FNV started to pay attention to the demands of their female membership; both the CNV and MHP increasingly do so too.

⁴⁶ In Dutch Stichting van de Arbeid

⁴⁷ OECD, 1998

⁴⁸ This paragraph is based on De Bruijn & Bleijenberg, 1996: 16

⁴⁹ The numbers and percentages in this paragraph are based upon table 15 (p. 403) in *Statistisch Jaarboek 1999*, published by Statistics Netherlands

⁵⁰ De Bruijn & Bleijenberg, 1996: 17

Collective bargaining

Decentralisation towards company bargaining is undoubtedly the trend, although in 1993 only 15 percent of all Dutch private sector employees was covered by single-employer agreements.⁵¹ Since 1993, the Labour Foundation clearly stated that agreements should not be too uniform, and strongly plead for decentralisation of collective bargaining. Increasingly, recommendations take the form of frameworks within which details can be inserted at a lower level.⁵² The 1937 Collective Agreement Extension Act, under which government decree can declare agreements binding for all employees in firms or sectors, has been instrumental here.⁵³ Therefore, the industry-wide Collective Labour Agreements (CLA's) are subject to mandatory extension, a decision by the Minister of Social Affairs and Employment to impose the terms of a CLA on firms and their employees that did not sign the original agreements. In the mid-1990s, this mandatory system has been questioned in parliament, but continuation is foreseen.⁵⁴ The trend towards decentralisation is expected to be minor.

More than 2 million employees are bound by industry agreements, 0.5 million are bound by an extension, and 0.7 million are bound by a company agreement. 1.3 million employees are not bound by a collective labour agreement. Altogether, there are approximately 200 industry and 700 company agreements. Nevertheless, the bargaining coverage has shown a moderate decline. In 1990, 71 percent of all private sector employees were covered by collective agreements, against 82% ten years earlier.

Many topics are discussed in collective bargaining, both procedural and material in nature. The material issues extend far beyond the wage-employment trade-off. Quite a few CLA's relate qualifications to particular jobs and to grades. Other clauses concern working hours, overtime, irregular hours, shift work, vacation, and leave regulations. A third issue concerns internal staff allocation, including regulations concerning the internal labour market, and labour pools. A fourth major issue relates to working conditions, ranging from policies preventing sexual harassment to the weight of the stones a carpenter may carry. Finally, additional social security compensation, employment policies for migrant workers, etceteras may be discussed.

Equal opportunities in collective agreements

Since the mid-1980s, in the unions awareness rose regarding the possibilities to use collective bargaining for equal opportunities policies. The first equal opportunities issue to be incorporated in collective bargaining was child care, primarily due to pressure from women's pressure groups within the trade unions. In 1987, the first CLA's had clauses regarding child care, as will be discussed in detail in the next section.

⁵¹ Visser, 1995

⁵² De Bruijn & Bleijenberg, 1996

⁵³ Visser, 1994

Yet, increased awareness of equal opportunities in collective bargaining did not solely arise from women's pressure groups within the unions, because some employers organisations also appointed an equal opportunity officer.⁵⁵

In 1990, the Labour Foundation published a path breaking report called *Women and Work*, that led to debates at the bargaining tables, and as a consequence to an enormous increase in the number of CLA's with provision and regulations on equal opportunities.⁵⁶ Beside the Labour Foundation, the Socio-Economic Council also has regularly made recommendations in the field of equal opportunities. In 1997, in its advice for reconciling work and family life, the Labour Foundation stressed the need to discuss the possibilities to introduce individual choices in collective bargaining agreements.

Although in their European study Olgiati and Shapiro (1998: 6) found a significant number of case examples illustrating how equality programs are promoted following agreements between the social partners, in our study these results were not supported for the Netherlands. Pressure for equal opportunities policies in collective agreements came bottom-up. Both women's pressure groups in firms and trade unions and women's changing labour market behaviour put pressure on the male-dominated works councils and unions. By the mid-1980s, views began to change and demands regarding equal opportunities issues were introduced in collective bargaining. It took ten more years for the employers to develop initiatives for equal opportunities. This can best be related to the time *Opportunity in Business* came into existence.

Reconciling work and family

Within the pillar of reconciling work and family, we distinguished several features: maternity leave, parental leave, short-term and long-term leaves, day care facilities, flexibility in working hours and allowing part-time employment. In collective bargaining most features got substantial attention throughout the 1980s and 1990s, as will be discussed below.

Leave regulations

Maternity leave is regulated by legislation. In 1997, only 8 collective agreements had additional clauses concerning maternity leave, mostly concerning extending maternity leave, which for 6 in 8 was unpaid leave.⁵⁷ In contrast, many collective agreements have clauses on parental leave. The Parental Leave Act represents a minimum provision. It entitles parents to an unpaid leave for at most 520 hours. Already in

⁵⁴ Freeman et al, 1996

⁵⁵ De Bruijn & Bleijenberg, 1996: 18

⁵⁶ De Bruijn & Bleijenberg, 1996: 18

⁵⁷ De Vries & Van Hoorn, 1997: 12

1990, before the Act had passed, 45 of the 168 agreements under study had clauses on parental leave, which were applicable to 37 percent of the employees covered by a collective agreement.⁵⁸ In nearly all CLA's the forthcoming legal leave period was widened in terms of time, and one CLA had provisions for a three quarters paid leave of at most two months. This applied to the municipalities, and in subsequent years this was followed by agreements in the public state sector,⁵⁹ police forces and universities. Three agreements had explicit provisions for paid leave, paying 20 to 75 percent of the leave hours. These agreements are predominantly found in the service and the public sector.

Two years later, the number of agreements with clauses on parental leave had slightly increased. The Labour Inspectorate concluded that 67 out of 180 agreements provided better arrangements compared to the legal rights, mostly entitling parents to extend the leave in time or in hours per week, sometimes relating to social security and pension fees.⁶⁰ Yet, an investigation by the General Auditor⁶¹ revealed that the parental leave regulations in the public sector led to efficiency losses, increased work pressure, and organisational problems. This was an extra argument for the employers' association not to agree on paid parental leave.⁶²

Again two years later, the Labour Inspectorate concluded that 35 percent of the agreements had clauses additional to the Parental Leave Act. These clauses included clauses on premiums for pension rights, partial payment of the unpaid leave, or extension of the six month leave. A survey among the municipalities in the province of Overijssel showed that nearly 90 percent of the municipalities applied the paid parental leave clause.⁶³

Table 4.1 Number of collective agreements including clauses on parental leave

Year	Clauses on parental leave	Payment during leave	Examined agreements
1991	45	1	168
1993	67	3	180

Source: *De Vries & Van Hoorn 1997: 30-32*

In CLA's, the legal parental leave can be widened in terms of time or in financial terms. The major controversy relates to the latter. The largest trade union confederation FNV demands that all parental leave should be paid leave.⁶⁴ Yet, the largest employer's association is firmly against.⁶⁵ Recently, the

⁵⁸ Labour Inspectorate, 1992

⁵⁹ In Dutch Rijksoverheid

⁶⁰ Van den Woestijne, 1994 (Labour Inspectorate)

⁶¹ In Dutch Algemene Rekenkamer

⁶² Ouderschapsverlof is weggegooid geld. In *De Werkgever*, 94-07-14

⁶³ Citteur, H.M.E. 1994. *Emancipatie? .. 'n kwartje per week! Een inventariserend onderzoek naar het emancipatiebeleid van de gemeenten in Overijssel*. Almelo: Emancipatiebureau Overijssel

⁶⁴ FNV. 1991. *Draaiboek CAO-onderhandelingen gericht op de verbetering van de positie van vrouwelijke werknemers*. Amsterdam, FNV

controversy regarding payment worsened. In particular in the municipalities resistance rose towards the regulations, primarily because of the extensive use and because the municipalities are not able to plan staffing adequately to have the work done otherwise performed by the absent employees.

Except for maternity and parental leave, short-term and a long-term leave can be agreed upon in collective bargaining. Quite commonly, the demand for short-term leave is fulfilled by taking vacation days. Sometimes this leave is informally agreed upon in a particular firm. It is not meant to take care for sick relatives, but to make arrangements that somebody else can take care. The long-term leave is usually unpaid and is meant to care for sick relatives. Until now, this leave is not legally regulated, but only found in collective agreements. The 1999 CLA for the public libraries for the first time had clauses on long-term leave for the care of sick relatives.⁶⁶ The leave was comparable to the parental leave arrangements.

Day care facilities

In the 1980s, the demand for day care arrangements increased because of the growing number of working mothers with young children. However, government, employers, and unions continued to perceive the care of children to be the sole responsibility of the parents, thus the mother.⁶⁷ The trade unions were the first to change their view. From the mid-1980s, women's groups within the unions enlarged pressure on the union negotiators to put forward the demand for day care arrangements in collective agreements, because the government was not willing to pay for child care. In 1987, for the first time the unions demanded a financial contribution from the employers for their employees' day care needs. This strategy proved to be very successful. Moreover, from then on, both employers and unions put pressure on the government, and in 1989 government was willing to meet their demand to contribute financially.

In 1988, already 16 collective agreements had a clause regarding day care, be it a study or financing real places. In 1990, this number had grown to 72, among which many clauses aiming at a study on the subject.⁶⁸ Five years later, 55 CLA's had clauses entitling employees access to child care via the employer and in 15 CLA's the demand for day care was examined. Altogether, nearly 1.5 million employees were covered by these agreements, although in one out of five agreements, only female employees or single parent male employees were entitled. A common practice regarding day care arrangements had come into being. Most clauses stated that the employer partly paid the day care costs, providing that the employee/parent contributed income-dependent fees for the day care. Government

⁶⁵ According to the association NCW, see 'Je kunt je carrière wel schudden'. Ouderschapsverlof in de praktijk. VB Magazine, april 1995: 20-22

⁶⁶ CAO Bibliotheken rond. In Aaneen, 99-03-27

⁶⁷ Tijdens & Lieon, 1993

⁶⁸ DCA, 1992

subsidised day care by entitling employers to deduct 20% of their total day care costs from taxes. Intermediary organisations were established to mediate between supply and demand for day care within a firm-specific setting.

By 1997, it was estimated that 61% of the work force covered by collective agreement had access to child care via the employer. Increasingly, male employees were entitled to make use of the child care arrangements too, due to considerations regarding equal treatment. One of the major problems to be solved concerned the growing waiting lists for day care, in particular in female-dominated sectors such as primary and secondary schools and in health care. In these sectors the budgets are too little compared to the relative high demand for day care.⁶⁹ For example, in welfare the day care budget covers only day care for 3,500 children leaving another 2,000 children on the waiting list.⁷⁰ In the 1999 CLA negotiations, the employers in welfare were not willing to increase the budget.

Table 4.2 Number of collective agreements including clauses on child care

Year	Right to child care	Clauses including studies	Examined agreements
1991	36	72	168
1996	55	70	124

Source: *De Vries & Van Hoorn, 1997: 30-32*

Part-time employment

In 1982, the year of the deepest post-war recession, the unions demanded working time reduction for reasons of work sharing. The employers' associations were against and proposed to respond to the increased requests for reduced working hours predominantly from the female workforce. In the so-called Akkoord van Wassenaar, the social partners agreed upon wage moderation, together with both collective reduction of working hours and responding to individual requests for reduced working hours. From 1982 to 1985, many CLA's had clauses on both collective working time reduction and allowing permanent staff to reduce working hours individually. This clause was used largely in the banking sector and in health care. In 1983-84, approximately 5 percent of the female work force in the banking sector reduced their working hours.⁷¹ It became common for employers, to respond to female employees' requests for reduced working hours, in particular in sectors where otherwise labour could be in short supply.

In 1993, the Labour Inspectorate found already 41 agreements with clauses regarding individual requests for reduced working hours, although some of these agreements only stated that the employers intended to

⁶⁹ Van den Brekel & Tijdens, 1999

⁷⁰ Wachten op kinderopvang. In Aaneen, 99-04-18

⁷¹ Tijdens, 1998: 18

investigate this issue.⁷² A year later, already 63 agreements had clauses, of which 47 had a 'conditioned right' to work part-time. The agreements covering agriculture, utilities and building sector had no clauses regarding this issue, whereas the manufacturing industry and the service sector many agreements had such clauses.⁷³

In 1995, the Christian Federation of Trade Unions CNV examined 400 agreements, revealing that about 80 percent of the labour force covered by an agreement included a conditioned right to change hours within the job.⁷⁴ Quite common were clauses such as 'all jobs can also be performed part-time'. By doing so, the employers enabled part-time employment regardless the job involved.

In the years to follow, the number of agreements with clauses regarding individual requests for reduced working hours increased.⁷⁵ Today, 60 percent of the major agreements have clauses entitling employees to reduce working hours at their request. The conditions usually states that this request will be rewarded unless this was considered to conflict the firm's interests, to be confirmed by the employer in writing. This phrase was agreed upon the Labour Foundation, and is rephrased in many CLA's.⁷⁶ Some agreements state that the requests will be rewarded, but not necessarily in the employees' own job. It may be in another job in the company. Sometimes a minimum number of hours per day or per week is stated. Increasingly, working hours have become negotiable between employer and employee at request of the latter.

Table 4.3 Number of collective agreements including clauses on part-time employment

Year	Right to reduce hours	Clauses including studies	Examined agreements
1993		41	134
1994	47	63	134
1995	60	70	107
1996	66	73	124

Source: Ministry of Social Affairs and Employment, 1995: 24, for the years 1993-'94; De Jong, 1996: 17, for 1995; De Vries & Van Hoorn, 1997: 36, for 1996

Research has shown that CLA clauses on working hours request indeed have an impact.⁷⁷ Compared to companies not covered by such CLA clauses, employees in companies covered by such an agreement far more often put requests on hours reduction and these requests are substantially more often rewarded. It turns out that an employer responds three times more often negative if the collective agreement does not have a clause on enabling part-time requests. An employer is three times more likely to refuse a

⁷² Ministry of Social Affairs and Employment, 1995: 24

⁷³ Ministry of Social Affairs and Employment, 1995: 24

⁷⁴ CNV, 1995

⁷⁵ De Vries & Van Hoorn, 1997

⁷⁶ Sloep, 1996: 45

request for reduced hours when the collective agreement at stake does not contain a clause on reduction of working hours (31 compared to 10% of the requests).

Strengthening women resources management

Within the pillar of strengthening women resources management, we distinguished several features: preferential treatment, recruiting women for male-dominated jobs, career counselling, setting target numbers, and career paths in female-dominated jobs.

Positive action programmes

An affirmative action programme is described as a coherent set of measures, intended to improve women's entrance to and position in an enterprise.⁷⁸ In 1989, when 161 major private industry CLA's, covering 2.3 million employees, were examined, about half of them had clauses on women's issues, in particular on child care and parental leave. Equal pay issues were hardly found in collective agreements.

Since, the scene improved. In subsequent years, the presence of positive action clauses in collective agreements has been examined. Of the 1990 agreements, only 8 out of 168 CLA's mention an affirmative action program. Nevertheless, in 87 agreements attention is paid to the improvement of the position of women without a planned approach, of which 62 are only intentional in character.⁷⁹ Results range from 10 to 20 percent for the major agreements.

The 1998 CLA study revealed that other clauses regarding 'women resources management' aimed at career development plans for women, recruitment policies or additional training.

Recruiting women

Clauses concerning recruitment, careering and training for women are hardly found in CLA's. A detailed study on all collective agreements in manufacturing industry confirmed that they were rarely found.⁸⁰

Throughout the 1990s, the number of CLA's having clauses concerning women's re-entrance increased.⁸¹ In 1990, 16 agreements were found. Three years later, the number had increased to 24. Most common is the clause that women who have left the company for family reasons are considered to be internal applicants in case of vacancies. The period may vary, in one agreement it was even five year. Two

⁷⁷ Thunnissen & Van der Toren, 1997: 59

⁷⁸ De Bruijn & Bleijenberg, 1996: 55

⁷⁹ De Bruijn & Bleijenberg, 1996: 55

⁸⁰ Tijdens & Goudswaard, 1994, 61

⁸¹ Labour Inspectorate, 1994

agreements had clauses on the right to return to the job, one within half a year (Royal Ahold) and the other within a year (Laundries). In 8 CLA's, there is the right to return, but without a guarantee that this will be within the same job before leaving. In these cases the re-entrant regulations function as a substitute for parental leave. These clauses are predominantly found in the services.

Degendering organisational cultures

Within the pillar of degendering organisational cultures, we distinguished issues such as preventing sexual harassment, changing gender stereotype thinking, adapting to female-oriented values, and equal representation in decision-making bodies. Except for preventing sexual harassment, in CLA's very little attention is paid to these features. The similar pattern was seen in legislation

Preventing sexual harassment

In 1990, for the first time sexual harassment was at the agenda of the Labour Foundation.⁸² The employers organisations and the trade unions agreed on the necessity of an effective approach to sexual harassment. The Foundation issued a recommendation on preventing and combating of sexual harassment.⁸³ Employers, unions and government very fast agreed that the issue should be within the scope of working conditions legislation rather than solely being part of bargaining agendas. This led to the clauses on sexual harassment in the 1994 Working Conditions Act. In CLA's, policies to prevent sexual harassment could be detailed. Awareness of sexual harassment in collective bargaining increased and in 1996, clauses are present in nearly half of the collective agreements.⁸⁴ However, in half of these clauses the measures were not detailed, but instead urge firms to develop such measures.

Three times, the Labour Inspectorate studied the incidence of CLA-clauses on sexual harassment, notably in 1991, five years later in 1996 and again in 1997.⁸⁵ Within this period, the percentage of agreements having such clauses at first increased from 38 to 48 percent and then dropped to 46 percent. In the 1997 study, 131 agreements were examined, covering more than 90 percent of the wage labourers. Compared to other features of working conditions, clauses on sexual harassment ranked highest, notably in 60 of the 131 agreements. Handling dangerous goods, stress at work, or safety at work was present in far less agreements, indicating that at least in CLA's, the awareness of sexual harassment as being part of working conditions was widespread.

Compared to 1991, the presence of a grievance committee or grievance procedures had increased and

⁸² This section is based on De Bruijn & Bleijenberg, 1996: 46-48

⁸³ This section is based on De Bruijn & Bleijenberg, 1996: 46-48

⁸⁴ De Vries & Van Hoorn, 1997: 45

⁸⁵ This section is based on De Vries & Van Hoorn, 1997: 45, and on Feenstra, 1998

so had the percentage of agreements with statements on a trusted person. In more than one in two agreements with clauses on sexual harassment, such committees or procedures were agreed upon and in one in three a trusted person was agreed. In the 1997 study three agreements had even six clauses, notably the catering industry, the cleaning industry and the central government. However, the share of agreements having only general statements on sexual harassment increased continuously, leaving more detailed policies to the employers. Probably this was caused by the new clauses in the Working Conditions Act and the increased awareness of working conditions at company level.

Table 4.4 Number of collective agreements including clauses on sexual harassment

Year	Clauses	Examined agreements	Percentage
1990/91	63	161	38%
1996	55	124	48%
1997	60	131	46%

Source: De Vries & Van Hoorn, 1997: 45, Feenstra, 1998: 22

Changing male-dominated organisational cultures

In a 1996 study of 89 CLA's, the Labour Inspectorate showed that only one had clauses on changing organisational cultures. In the AT&T Network Systems agreement, it was stated that 'the company aimed for improvement of a female-friendly character in house rules, in rules of behaviour, in brochures, etceteras'.⁸⁶

Equalising pay and working conditions

Within the pillar of equalising pay and working conditions, we distinguished issues such as equal pay for equal work, equalising part-time and full-time employment, reviewing job classification, equalising fringe benefits and pension rights, etceteras. In collective bargaining, substantial attention was paid to these features, as is discussed now.

Equal pay

It was not until 1971, that the proportional wages for women had disappeared in collective agreements. That same year, government ratified the ILO-convention on equal pay, and in 1975, the Equal Pay Act passed. In the late 1970s, both social partners and government were convinced that the major problems concerning equal pay had been solved. However, the gender wage gap appeared to be more persistent than thought.

In the 1950s, job classification predominantly was used by the manufacturing industry, and the wages in the subsequent grades have been negotiated in collective bargaining. Since, we have seen a process of adaptation to changes in the labour force and in the labour market. In the early 1960s, the systems had to incorporate adequate criteria to broaden their use to office work, initially within manufacturing industry, and later in other sectors too. In the 1970s, the dominance of the criterion 'knowledge' declined, while the criterions 'manual skills' and 'communication' gained importance.⁸⁷ In the mid-1980s, job classification was extended to the field of welfare.⁸⁸ A 1984 examination of firms in the private sector revealed that the larger the company, the more likely a job classification scheme was used.⁸⁹ Among the firms employing 500 people or over 68 percent used job classification. In firms employing 100 to 200 persons it had fallen to 34 percent.

*Job classification in banking*⁹⁰

In 1985, after ten years of negotiations between the employers' association and the trade unions, the banking sector put its own job classification system into use. Until the last day, negotiations continued. The employers proposed a rather low final increment in grade 3, but this was not acceptable for the unions. According to the FNV-union negotiator: "By doing so, this would be disadvantageous for many counter employees and clerical employees." In these job categories the majority of the workers were female. Finally, the negotiators agreed.

Four large suppliers of job classification systems cover about three quarters of the system's market.⁹¹ The four meet regularly, as well as with the trade unions. In the early 1990s, in these meetings substantial attention was paid to gender discrimination. As part of the overall focus on the adaptation to women's changed labour market behaviour, women's pressure groups in the unions started studies on gender discrimination in job classification systems. In 1991, the Industriebond FNV, unionising employees in manufacturing industry, invited system owners for workshops, aiming to clarify the assumption about gender discrimination in the so-called UBS-system, that was most widely used in the branch.⁹² Furthermore, job classification officers of three unions⁹³ and the system owner AWV discussed the

⁸⁶ Sloep, 1996: 53

⁸⁷ Weststeijn, 1996: 212

⁸⁸ Ultee, 1996: 197

⁸⁹ Labour Inspectorate, 1987

⁹⁰ In Bondschrift 85-04-03, cited in Tijdens, 1989: 252

⁹¹ Weststeijn, 1996: 212

⁹² Weststeijn, 1996: 212

⁹³ Industriebond FNV, Voedings- en Vervoersbond FNV and VHP

ORBA-system for its gender-neutrality.⁹⁴ AWV also examined job descriptions for modinette and for jobs related to cardboard machinery. It was concluded that the highest ranked jobs were comparable, but that opinions varied about the lowest jobs in the series.⁹⁵ This led to some changes in the ORBA-system, in particular with regard to the criterions 'working conditions', accountability and contact.

Female union members of ABVAKABO, the largest union in the public sector with its predominantly female work force, wanted to be certain about the absence of gender-discriminating features in the job classification systems the union had agreed upon.⁹⁶ Three systems were examined, the IMF-system used in family welfare, the FWG-system used in the health care, and FUWASYS used in central government. One of the major findings was that rating points varied between male- and female-dominated jobs, and hierarchical levels correlated with high rating points for elements that obviously were not related to the hierarchy, thus discriminating female-dominated jobs. The absence of a criterion indicating working conditions was found to be a major failure of the job classification in family welfare. For example, the heavy physical working conditions of the home helps were not rated. The system owners adapted their systems more or less to these critiques.

During the 1990s, the controversy about job classification concentrated on the FWG-system, quite commonly used in health care. Studies were undertaken. Cases were brought to court. In particular the Committee on Equal Treatment faced a request from an association of nurses demanding for a check of the FWG-system to the Equal Treatment Act.⁹⁷ Bargaining partners agreed on a revision of the FWG-system, to be introduced in July 1999.⁹⁸ Now, all jobs had to be described again, and for the viewpoint 'care' more points could be collected. In the bargaining, it was agreed that no employees would have a wage reduction, and some could have a wage increase. Employers made financial reservations for the expected increase in wage sum. Yet, the hospitals declared not to introduce the new system, presumably because they were afraid of the work involved in reclassifying all jobs and probably because of the wage costs involved.

Towards the end of the 1990s, the system owners have become more aware of possible gender discrimination, and, as a consequence, they are more eager to label their systems as gender-neutral. Now, all large systems have been examined for gender discrimination. Although some changes have been made, there was little evidence that gender discrimination in job classification systems contributed largely to the gender wage gap. Meanwhile, the debate about the gender wage gap had changed towards

⁹⁴ Ykema, 1996: 220

⁹⁵ Ykema, 1996: 226

⁹⁶ Huber, 1996: 184

⁹⁷ Rechtspraakoverzicht Gelijke Behandeling januari t/m juni 1998. Sociaal Maandblad Arbeid, 54/2: 119-121

⁹⁸ De 'aai over de bol' scoort hoger. Ziekenhuizen doen niet mee aan nieuwe functiewaardering. In Aaneen, 99-03-06

pay policies. It is more likely that wage levels vary between male- and female-dominated firms or sectors and that it is the sector, i.e. the collective agreement, that may contribute to the explanations of the gender wage gap.

Removing discriminatory CLA-clauses

During the 1980s, the Labour Inspectorate examined collective agreements on presence of discriminatory clauses a few times. These examinations were partly performed due to a request from the Dutch members of a research group of the European Commission investigating the directives on equal pay and equal treatment.⁹⁹ According to a 1983 study 38 out of 61 agreements under study had sections where women were discriminated, either directly or indirectly.¹⁰⁰ Three years later, a detailed study of 9 of these 38 agreements revealed the type of discrimination, ranging from leave arrangements for male employees to wage provisions for young breadwinners.¹⁰¹

Since 1989, the government no longer declares agreements to be generally binding when they contain direct discriminatory provisions. Since 1990, the same applies for agreements with indirect discriminatory provisions.¹⁰² In a study of the 1991 agreements, 28 were found to include discriminatory clauses out of 176 studied, a substantial decline from 29 to 10 percent.¹⁰³ Among others, the social actors aimed at equalising pension rights, and getting rid of wage provisions for breadwinners.

⁹⁹ De Bruyn & Bleijenbergh, 1996

¹⁰⁰ DCA, 1984, 59 in De Bruijn & Bleijenbergh, 1996: 54

¹⁰¹ LTD, 1987, 1-3 in De Bruijn & Bleijenbergh, 1996: 54

¹⁰² De Bruijn & Bleijenbergh, 1996: 54

¹⁰³ DCA, 1993, 1-5 in De Bruijn & Bleijenbergh, 1996: 54

Equalising part-time and full-time work

In the 1990s, increased attention can be noticed regarding discrimination based on working hours. In legislation, nearly all discriminatory clauses were removed within a few years. A similar process happened in collective bargaining. Major debates concerned overtime premiums for part-time and full-time employees. Initially, overtime premiums were paid when the weekly working hours exceeded the contractual weekly working hours. With the rise of part-timers, this principle was difficult to maintain. Employers complained that they had to pay overtime premiums for part-timers, working on hours where a full-timer did not receive overtime premiums. This problem was more or less solved when in the 1994-1997 bargaining rounds working hours reduction was traded-off with both flexibility of working hours and less premiums for unsocial hours.¹⁰⁴ Now, overtime premiums do not directly relate to exceeding the number of weekly working hours, but to socially unattractive hours.

In encouraging flexibility unions tried successfully to ensure all social rights of part-time workers. Except for overtime premiums, strategies focussed on removing discriminatory clauses for part-timers regarding issues such as equalising training facilities, equalising early retirement schemes, and equalising redundancy schemes. In 1983, still 50 percent of CLA's had discriminatory clauses, but by the end of the 1990s, nearly all these clauses were removed.

Conclusions regarding collective bargaining

Regarding the pillar of reconciliation of work and family life, 35 percent of CLA's have clauses additional to the Parental Leave Act in terms of time or in financial terms. There were CLA's with clauses on leave in case of sick relatives, but this leave was mostly unpaid. Furthermore, 61 percent of CLA's contain clauses on child care. Quite common, employers pay about one-third of employees' child care costs. Some years ago, these clauses covered female workers only, but increasingly male workers are covered too, mostly with reference to equal treatment legislation. Finally, 80 percent of CLA's contain clauses rewarding individual requests for reduced hours.

Regarding the pillar of strengthening women resources management, neither clauses concerning recruitment, careering and training for women, nor clauses on preferential treatment or target numbers for women were found. Only 10 percent of CLA's had clauses enabling women to re-enter at the company where they once had a job.

Regarding the pillar of degendering organisational cultures, we found focus on one topic. In 1990, the issue was at the bargaining table of the Labour Foundation for the first time. By the mid 1990s, already 46

¹⁰⁴ Tijdens, 1998

percent of CLA's contained clauses on preventing sexual harassment. Quite common these clauses referred to a grievance committee or a grievance procedure and sometimes to a trusted person in the company. Regarding changing male-dominated organisational cultures, only one CLA was found, notably in the American-based company AT&T Network Systems.

Regarding the pillar of equalising work, union strategies in collective bargaining aimed at equalising pay and working conditions. In the 1960s, clauses with proportional wages for women had been removed. However, the gender wage gap continues to exist. In the 1990s, after some years of resistance from the employers and the system owners side, all large job classifications schemes have been examined for possible gender bias, but little was found to support assumptions of gender discrimination. Furthermore, a strategy has been followed to remove all discriminatory clauses in CLA's. In 1983, still 50 percent of CLA's had discriminatory clauses, but by the end of the 1990s, nearly all these clauses were removed. Other strategies aim at equalising pension rights, and getting rid of wage provisions for breadwinners. Regarding equalising part-time and full-time jobs, strategies focussed on removing discrimination clauses based on hours of work, on equalising overtime premiums and premiums for work at unsocial hours, on equalising training facilities, on equalising early retirement schemes, and on equalising redundancy schemes.

Chapter 5

Equal opportunities policies in firms

In this chapter focus will be on equal opportunities policies in organisations, be it private firms or public institutions. We will shortly use the word firms. As was the case in the previous chapters, here again the four pillars, as distinguished in chapter 1, will be the frame of analysis. Focus will be on three questions. How widespread are equal opportunities policies in firms? What is the nature of equal opportunities policies in firms? Can the effects of equal opportunities policies in firms be considered? In the analyses, in particular attention will be paid to differences according to sector. This section is based upon four ways of collecting data. First, we used the reports produced by the Labour Inspectorate, who several times has surveyed establishments in examining the implementation of legislation and collective agreements. Second, we used several reports written by equal opportunities committees or officers or by researchers on request of these people. Among these reports, a few included evaluations of equal opportunities programmes. All reports had been collected by the national archive of women (IIAV). Third, we reviewed press releases, articles in papers, in weeklies and in monthlies. Fourth, we reviewed the 1996 annual social reports of the 308 establishments.

Introducing equal opportunities policies in firms

How widespread are equal opportunities policies in firms? In answering this question we will rely on a short overview of Dutch business. In 1996, according to Statistics Netherlands, more than half of the 626,000 firms and institutions in the Netherlands concerns a single-person firm without employees.¹⁰⁵ Another 247,000 firms employ less than 10 people. Only 6,335 firms, that is 1 percent of all firms, employ a hundred people and over. In total these firms employ 3.27 million people, together 58 percent of the labour force. The majority of these firms employs less than 200 people. Only 1,975 firms employ 200 to 500 people, and they altogether account for nearly 659 thousand jobs. Finally, only 1,100 firms employ 500 people and over, but these firms employ nearly 2.15 million people or 38 percent of the labour force.

¹⁰⁵ These are data from January 1, 1996, and are published by Statistics Netherlands

Table 5.1 Firms and institutions according to size per 96-01-01 and jobs according to firm size per 95-12-31

Employees	Firms/institutions	in %	Jobs	in %
<200	622,570	99.5%	2,822,400	50.2%
200-500	1,975	0.3%	658,800	11.7%
>500	1,100	0.2%	2,145,800	38.1%
total	625,645	100.0%	5,627,000	100.0%

Source: Table 2.3 from *Bedrijven in Nederland 1996 (Statistics Netherlands 1997)* and two tables from the survey *Enquête werkgelegenheid en lonen 1995 (information provided by Statistics Netherlands)*

How widespread are equal opportunities policies? A 1990 study found affirmative action agreements only in 4 percent of the enterprises.¹⁰⁶ A comparable percentage was found in a survey aiming at establishments in the province of Zeeland, revealing that only 4 percent had a policy for positive action. These establishments predominantly were found in the public sector, the banking sector and the care sector.¹⁰⁷

A second source for information on the spread of equal opportunities policies can be derived from the applications for a grant from the 1988-1994 Equal Rights Policy Action Programme. Altogether 201 organisations applied, of which 131 were rewarded.¹⁰⁸ The applications showed that public sector organisations were heavily over-represented. One out of three applications came from a municipality, one out of three from other sectors in the public sector, such as universities and Higher Vocational Schools, health care and welfare sector, and the remaining applications came from various sectors in the private sector. A 1994 study of the 45 municipalities of the province of Overijssel showed that less than half of the municipalities had a positive action plan.¹⁰⁹

These percentages look depressing. Yet, quite common, the larger the firm, the more likely it will have an equal opportunities policy. Therefore, when looking at the number of employees to which positive action programs apply, there are no reasons for depressed feelings. By 1990, three out of four employees are employed in an establishment where a collective agreement is applicable with at least one clause in the broad category of equal opportunities policies.

At the turn of the decade, interests in positive action programs was at its height. Between 1990 and 1996, the percentage of firms having a positive action plan declined, probably because of the successes of the measures so far. In particular, to a large extent the reconciliation of work and family life was improved due to substantially increased opportunities for working time reduction and for tremendous increased day care

¹⁰⁶ Labour Inspectorate, 1992, 26

¹⁰⁷ Kempe-Geschiere, 1994

¹⁰⁸ Van Amstel and Van den Berg, 1991

¹⁰⁹ Citteur, H.M.E. 1994. *Emancipatie? .. 'n kwartje per week! Een inventariserend onderzoek naar het emancipatiebeleid van de gemeenten in Overijssel*. Almelo: Emancipatiebureau Overijssel

arrangements. Furthermore, recruitment of women was hardly a problem, the percentage of women in the labour force had increased, and the percentage of women continuing employment after giving child birth had also increased substantially, from 58% in 1990 to 82% in 1996.¹¹⁰

The largest remaining problem concerned women's influx in higher grades. For several reasons this issue got increased attention within firms. In particular, qualification levels in the female work force had increased, and tenure had increased, thus now were women ready to take higher grade jobs. As a consequence of women's rising participation rates, firms had to be aware of women as an increasing powerful consumer group. Quite obviously, the focus had to change. *Opportunity in Business* was set up, predominantly aiming at an increase influx of women in higher level positions.

Industrial relations at firm level

The Netherlands is known for its dual system of worker representation, with trade unions on the one hand, and Works Councils on the other. Dutch Works Councils have a number of statutory rights that can be used in efforts to influence managerial decisions concerning the introduction of new technology. A number of unions has been using collective bargaining to the same end. In many firms unions have succeeded in getting members elected to works councils.

After World War II, codetermination became highly codified. Under the 1950 Works Councils Act, workers were entitled to representation in joint councils, chaired by the employer. Since, quite a few large firms set up Works Councils, but their role remained subservient until the 1979 Works Councils Act. This Act gave the councils in companies with 100 or more workers a number of statutory rights that can be used in efforts to influence managerial decisions and transformed them into 'independent bodies' that can meet without management. Today, most large and medium-sized firms have a well-developed structure of works councils, both at local and central level. Since 1983, a Works Council is also mandatory for companies with 35 to 100 workers. Many managers are not very law-abiding in this respect and workers in many small companies do not execute their rights, which may explain why only 65 - 70% of all relevant companies comply.¹¹¹

The number of Works Council members depends on the workforce and varies between three and 25. Nowadays, the total number of councillors in the Dutch private sector exceeds 50,000. Candidature and voting are open to nearly all workers, except those working only a few hours. Quite common, members are chosen in triennial elections at company level. Visser (1991, 204) has observed that 'while far from being part of, or dependent upon, the larger union organisation, the councils have become the centre of worker organisation in firms'. Until very recently, in the public sector employees' committees existed.

¹¹⁰ De Vries & Van Hoorn, 1997: VII

¹¹¹ Van der Burgh & Kriek, 1992; Klein Hesselink & Evers, 1994; Oeij & Stoppelenburg, 1998

Government rules entitled them to rights comparable to those of the Works Council Act. Most employees' committees are now also changing into Works Councils, adding another 9,000 councillors.

The pivotal role of women's pressure groups

Women's groups within organisations have played a pivotal role in setting up equal opportunities policies. In the late 1960s and early 1970s, women's groups came into being based on political view, common interests, etceteras. In the 1980s and 1990s, in quite a few organisations women's interests groups organised themselves. Besides the state subsidies and the impact of collective bargaining clauses, these groups have been the most important engines for the process of gaining equal opportunities. For example, within the police forces a women's group has been very active at the national level. This section will focus on the way the women's interests groups organised themselves.

Works councils are entitled to set up committees. At least half of the membership must be a member of the works council, the other half can be just employees. Since the early 1980s, many Dutch firms have seen women's pressure groups, most of them continuing for quite a few years. Quite common, these pressure groups acted as a works council's committee. Like the works councils, these committees are entitled to have meetings during working hours and the employer has to provide a meeting room. In 1992 and in 1997, 5% of the large Works Councils had an equal opportunities committee, and 2% of the small councils.¹¹² Although these percentages are low, the impact of these committees on the firm's equal opportunities policy has been substantial.

In recent years, other women's pressure groups came into being that did not have a relationship to the works councils. Usually these groups are related to the Women's Network, and they differ from the works councils committees, as the target group explicitly aims at women in higher grades. These women mostly entered the firms thanks to the efforts to recruit women for the trainee programs, and they definitely aim for lifelong employment, moreover. These women want a career, and the Network groups support this aim. Quite a few firms were willing to support the women's interests groups, be it via the works council, or independently by facilitating the group. The largest pension fund PGGM in its 1992 equal opportunities plan for example offered support, and facilitated in setting up a women's network.¹¹³

*Women's groups in Dutch municipalities*¹¹⁴

In 1995, the municipalities of Amsterdam, Rotterdam and Groningen had very active women's groups. Amsterdam even counted 29 groups. These groups commissioned a study, to reveal the number of women's groups within all municipalities. It was expected that these groups to become a Works Council

¹¹² Oeij & Stoppelenburg, 1998: 37

¹¹³ De Jong & Bock, 1995: 197

¹¹⁴ Den Dulk & Melchior, 1995

Committee, when in 1995 the Works Councils Act would be applied to municipalities. It turned out that 47 of 465 responding municipalities had one or more women's groups, among which middle-sized municipalities relatively often had a women's group. Half of these 47 groups had a formal status, i.e. they were approved by the city council. The other half were informal, spontaneous groups, acting as a women's network, and meeting every now and then. Quite common, the women's groups organised seminars, commissioned research, commented on city council amendments, or protected personal interests. Furthermore, they aimed to act as network, to exchange information, and to improve career opportunities for women. Quite common, the groups were allowed to use the city council meeting rooms, repro and post facilities, and to visit meetings during working hours.

The Positive Action Programme

In the early 1980s, quite a few organisations already had established an positive action program. We found them among municipalities, for example the Frysian municipality of Ooststellingwerf in 1983. The 1988-1994 Positive Action Programme, as discussed in chapter 3, really was a breakthrough. Altogether 201 organisations applied for a grant, of which 131 were rewarded.¹¹⁵ One out of three applications came from a municipality. Quite common, the municipalities requested subsidies for an positive action officer, while organisations in the private industry in their application generally requested reimbursement for external advice or to organise a specific activity.¹¹⁶

The subsidies indeed did stimulate organisations in developing a positive action plan, according to an evaluation study in 89 organisations that were subsidised and 34 whose request for subsidy was rejected.¹¹⁷ In particular municipalities and schools applied for the subsidy, but applications also came from the services and manufacturing industry. Only one in three organisations would have developed a positive action plan if they had not received any subsidies.

Successes were dependent upon the period of subsidy. Two years were judged too short, three or four years is the minimum. Successes did not depend upon sector, way of implementing, setting up experiments or not, an in-house positive action officer or a consultant, or the number of hours per week that could be spend on the positive action plan. It turned out that developing and agreeing a positive action plan, which was estimated to take one year, in most organisations took two or even three years. Both, examining the composition of the work force and the agreement of several groups within the organisation took more time than estimated.

Unanimously the organisations agreed on the importance of having a positive action officer. However, this

¹¹⁵ Van Amstel & Van den Berg, 1991

¹¹⁶ Van Amstel, Van den Berg & Verschuren, 1994; see also De Jong & Bock, 1995

¹¹⁷ Van Amstel, Van den Berg & Verschuren, 1994

officer needs the full support of both the head of the Personnel department, the management team and the women's pressure group in order to have a basis for the positive action plan to be successful. All organisations involved thought developing a plan to be beneficial. After the subsidies ceased, many organisations intended to continue the positive action plans, but only few companies really continued to have a positive action consultant. Quite a few companies changed the job towards minority groups consultant, which usually aim at immigrant and handicapped employees.

The wording of positive action turned out to be misinterpreted in a minority of the organisations. The wording was associated with preferential treatment for women and thus non-preferential treatment for men. These organisations changed the wording into equal opportunities policies. Targets are used in half of the organisations with a positive action plan, predominantly in the public sector, though it was judged time-consuming for the positive action officer to develop and to reach agreement on the targets. In general, organisations that face reorganisations, mergers, financial problems, are less likely to continue the positive action plan.

Although large organisations are far more likely to implement a positive action plan, these organisations particularly face problems regarding communicating the programmes to lower levels in the organisation. A 1988 positive action plan at the University of Utrecht consisted of seven issues, five of which aimed at strengthening women resources management.¹¹⁸ An evaluation study showed that most departments had not implemented these issues, but the ones who did mostly focussed on increasing women in the non-scientific staff. An in-depth study in one department of the Postgirobank showed that for quite a few years, at central level equal opportunities measurements were agreed upon. Yet, at departmental level little of these were firmly integrated in daily policies, in particular the career measurements.¹¹⁹

What are positive action programs about?

The most common practice in a positive action plan aimed at recruiting female employees, according to the evaluation. Thus, the policies aimed at personnel advertisements in papers that were red by women, at having least one women in the selection committee, asking at least one female candidates when inviting applicants. In some organisations, female applicants were invited first, and male applicants were only invited when this first round turned out not to be successful. Statements that female applicants should be preferred in case of equal qualifications was hardly found in the organisations.

As far as careering concerned, the evaluation study of 89 positive action plans showed that training in career planning for women used to be important to increase women's awareness of their desires, as well

¹¹⁸ Dekker, R. & A. Beekes. 1995. *Stapvoets, een evaluatieonderzoek naar het emancipatiebeleid vcan de Universiteit Utrecht*. Utrecht, Bestuurscommissie Emancipatiebeleid Universiteit Utrecht

¹¹⁹ Van Bottenburg, 1990

as involving female workers in the plans.¹²⁰ However, a training course did not influence women's career steps. Measures to limit turnover rates among women predominantly focussed on day care arrangements, and on part-time employment. However, hardly any organisation promoted these measures by pointing to the high turnover rates of women, but quite common these measures were said to be introduced to recruit more women. A hospital in the city of Groningen was rewarded for its female-friendly policies, which included among others the creation of in-between jobs, thus jobs in between the well-defined occupational groups in health care, in order to improve careering.¹²¹

*A positive action in five steps*¹²²

In 1992, the national association of local housing corporations initiated a positive action plan for women, with help from the Ministry of Social Affairs and Employment. A research project and three pilot studies were initiated, resulting in a manual for the local corporations how to implement such a plan. In five steps, a positive action plan had to be implemented: intention by the board, examining staff composition with respect to gender, formulating goals, implementing and finally evaluation the plan. Pilot studies were set up. In one pilot, attention was paid to examine which jobs could be fulfilled part-time, mainly between 24 and 32 hours, all jobs could be fulfilled in 32 hours, job sharing was possible for some jobs, child care was realised, the personnel magazine had articles on the positive action plans. The second pilot focused mainly on preferential recruitment, which was stated already in the personnel advertisement, staff was encouraged to request for shorter working hours and nearly all requests were fulfilled. The third pilot the management team was less co-operative and initially refused to reserve budgets for day care, but it was expected they would do so in the years to come. Although initially focus was on rising women's share in male-dominated jobs, the pilot studies aimed at positive action in general.

A unique evaluation of ten years equal opportunities policies in a medium-sized municipality in the northern part of the Netherlands shows that in 1983, the council decided to implement a female-friendly personnel policy.¹²³ Amongst others this included increased opportunities for part-time employment, better leave arrangements, and child care facilities. After five years too little improvement was seen. Therefore, thanks to a subsidy a positive action officer could be appointed. In 1993, ten years later, the job had vanished. According to the interviews with the employees that had an overview of the whole ten year period, all judged unanimously that the proportion of women had increased substantially, also in the higher ranks. Furthermore, training for women had increased, and so had part-time employment, parental

¹²⁰ Van Amstel, Van den Berg and Verschuren, 1994

¹²¹ Gewone loopbaan voor vrouwen is buitengewoon. In VB Magazine, oktober 1998.

¹²² Water, W.M.R. de. 1994. Het hoofd Technische dienst is een vrouw. Handleiding positieve actie voor vrouwen bij woningcorporaties. Huizen, Fonds Scholing en Ontwikkeling Woningcorporaties

¹²³ Kuiper-van der Voorde, E. 1993. Emancipatiebeleid. Een onderzoek naar de effecten van het emancipatiebeleid van de gemeente Ooststellingwerf. Groningen, no publisher

leave and day care arrangements. Though even the final goal of an equal gender division in all ranks and jobs was not reached, the improvement had been substantial. On the other hand, a project for women to enter the municipality's highly male-dominated field organisation was judged to be not successful. Of course, women had become visible, but why should they do exactly the same as men?

In 1996, the national network of equal opportunities officers of some 150 organisations, most from public sector organisations and 30 from private sectors firms, concluded that in their respective organisations interest in positive action programs was declining.¹²⁴ Now, the majority of the officers were involved with either mainstreaming policies towards women into the overall personnel policies or to integrate these women's policies into a so-called 'diversity' policy. These latter policies aim at a staff, that is increasingly diverse in terms of ethnic group and gender. Moreover, the officers reported increasing resistance towards women-only courses. Women themselves perceived career training as threatening courses aiming to stimulate them to quit the organisation. This may very well have been the case during the 1992-1994 economic recession, when employment declined.

*Positive action plans in 45 municipalities*¹²⁵

A 1994 study showed that less than half of the 45 municipalities in the province of Overijssel had a positive action plan. In these municipalities, the ranking of measures is similar to what we found elsewhere. The plans predominantly aimed at reconciling work and family life, at improving female resources management, and to a minor extent at degendering the organisational structure. The measures for reconciling work and family aimed particularly at day care arrangements and at part-time employment. Measures to improve female resources management mostly aimed at the appointment of female applicants in case of equal qualifications, in some cases at target numbers for specific jobs, and in one municipality at establishing a career counselling plan for the female employees. Regarding the measures relating to degendering organisational cultures, one municipality aimed at having at least one female member in an application committee.

Opportunity in Business

From the very beginning in 1996, Opportunity in Business had major Dutch firms as subsidiary, for example ABNAMRO, one of the largest banks, the electronics company Philips, the railway company NS, the Dutch tourists organisation ANWB, airline KLM, the food international Unilever, the large consultancy firm KPMG, the city of Amsterdam, the Ministry of VROM, and the confederation of small and medium-

¹²⁴ Boelens, L. 1996. Integreren is de trend. In PW, 96-01-27, pp. 20-23

¹²⁵ Citteur, H.M.E. 1994. Emancipatie? .. 'n kwartje per week! Een inventariserend onderzoek naar het emancipatiebeleid van de gemeenten in Overijssel. Almelo: Emancipatiebureau Overijssel

sized enterprises MKB-Netherlands.¹²⁶ Two years later, membership had increased to 62.¹²⁷ The aim is to increase the proportion of women in organisations, particularly in managerial positions. Firms set goals themselves, and Opportunity in Business supports them in reaching the goals. A major argument is that otherwise these firms will not profit from their investment in these women's firm specific training, thus there is a lot to gain in binding well qualified female workers. Opportunity is headed by the female director of a large employers' association.

Whereas the positive action plans predominantly focussed at increased entrance of women into the organisation, Opportunity in Business quite obviously focuses on increased participation of women at managerial levels. Rank Xerox, one of the subscribers, states: "Last year, we have focussed on equal opportunities as we have done in the years before, as we showed in our support of the campaign. Today, at managerial level 17% are women, compared to 10% back in 1990".¹²⁸

Reconciling work and family

Since the early 1980s subsequent firms have established policies to enable lifelong employment for women. These policies included predominantly policies towards reconciliation of work and family. Working time arrangements were the easiest goal, followed by day care arrangements.

Leave arrangements

So far, three forms of leave arrangements have been considered. Maternity leave is a paid 16 weeks leave, and it is primarily regulated by legislation. Parental leave is a long-term leave, which is regulated by legislation as a minimum provision, and in many collective agreements it is more detailed, mainly concerning the duration of the leave period. Leave in case of sick relatives is a short-term leave, that is not yet subject to legislation, though recently proposals have been made to do so. Many bargaining agreements contain clauses on this type of leave. In this section, we will discuss to what extent these leaves are used by both employers and employees.

Regarding maternity leave, nearly all employed women use this type of leave. Regarding parental leave, although both parents are entitled to use this leave, surveys have shown that female employees take parental leave, whether it is paid or not. Male employees on the other hand use parental leave mostly when it is paid. Only 11% of the men who are entitled to parental leave, make use of it; three quarters do so while covered by an arrangement for paid leave. 27% of the female employees who are entitled to parental leave, make use of it, only four out of ten were covered by an arrangement for paid parental

¹²⁶ Opportunity in Bedrijf gestart. In *Op gelijke voet*, 96-10, pp. 4-7

¹²⁷ Mannen in de overgang. In *Avanta*, 98-12, pp. 36-42

leave.¹²⁹ Women's pressure groups are in favour of paid leave, because it seems the only way to reach a more equal division of unpaid work between couples.¹³⁰

Since the municipalities agreed upon paid parental leave, its use has been studied a few times. Three years after the initial CLA, about 40% of the entitled male workers and 60% of the entitled female workers had made use of the paid parental leave.¹³¹ For financial reasons and because their partners more often took care full-time for their child, male workers in lower grades did not made use of the parental leave. The study shows that parental leave prevents female workers from both quitting the workplace and requesting working hours reduction. In half of the cases employees on leave were replaced; workers in lower grades and female workers were more often compared to other groups of employees. The total replacement costs varied between municipalities, sometimes resulting in negative balances. In particular, municipalities with a relatively young staff face problems in this respect. By 1997, the municipality of Beek proposed to abolish the paid parental leave provisions, and this proposal was supported by a majority of the 572 municipalities, arguing that the paid leave was so popular, that the replacement costs were too high.¹³²

Day care facilities

During the 1990s, increasingly firms offered day care arrangements to their staff, mostly because of CLA-clauses, but sometimes even without such clauses. A 1996 representative survey of 2700 firms and institutions with 5 or more employees revealed that 14 percent of the organisations had day care arrangements for their employees.¹³³ The larger the organisation, the more likely they had arrangements. About 70 percent of the organisations employing 500 people and over had arrangements, compared to 9 percent of the organisations employing 19 persons or less. The public sector, including the care sector, was most likely to have regulations, whereas arrangements are hardly found in the building industry, in transport and in trade and catering. In general, the higher the proportion of women employed, the more likely the organisation has regulations regarding child care. Yet, there are exceptions. On the hand, in the sector trade and catering with its high percentage of women, only 6 percent of the organisations has day care arrangements. On the other hand, in manufacturing industry and agriculture, with its low percentage of female employees, 22 percent of the organisations is likely to have such arrangements.

¹²⁸ Kans op balans. Folder of Opportunity in Business, 1996

¹²⁹ Statistics Netherlands, Emancipatie in cijfers, 1995: 43; Bleijenberg & De Bruijn, 1997: 10

¹³⁰ According to Greetje den Ouden, chairperson of the Emancipation Council, in 'Je kunt je carrière wel schudden'. Ouderschapsverlof in de praktijk. In VB Magazine, 95-04: 20-22

¹³¹ Mulder, F.E. 1994. Betaald ouderschapsverlof in gemeenten. The Hague, Vereniging Nederlandse Gemeenten

¹³² De sfeer wordt grimmiger. In VB Magazine, april 1997.

¹³³ Praat, Smulders and Van Werkhoven, 1996

In addition, increased attention is paid to different forms of day care arrangements. For example in the police forces, compared to 1991, the day care arrangements are far much better in 1994. By then, nearly all 20 regions have child care arrangements, notably 19 have arrangements to buy day care places for employees, 16 have arrangements for care parents, 9 have arrangements for 24-hours day care, 17 enable child care financially, and finally 14 have flexible work scheduling in relation to children.¹³⁴

Rewarding requests on working hours reduction

Rewarding requests on working hours reduction is the most easiest and most widely implemented measure. A 1988 positive action plan at the University of Utrecht consisted of seven issues, the one that aimed at flexibility in working hours was implemented most widely, according to the evaluation.¹³⁵ This was primarily due to the fact that the clause more or less reflected an existing practice.

Although most of CLA's have clauses on rewarding requests for reduced working hours, in practice the supervisors decide upon such a request. In some cases this has caused problems. In manufacturing industry the change towards the part-time employment took place in the 1990s. In 1991 the women's group wanted part-time employment in the plants.¹³⁶ Why could temp workers be employed part-time and workers with a permanent contract only full-time? There were so many female workers, who were eager to set up a family, and preferred to reduce working hours, instead of choosing a homemaker career. It took some years, but the group was successful. Reduction of working hours was allowed. Moreover, in 1998, the US headquarters of this multinational announced their 'work-life' program for its three Dutch plants.¹³⁷ Employees could set their own working hours, provided that the work was done within an agreed period of time.

*Part-time and flexible working hours*¹³⁸

The largest Dutch pension fund, called PGGM, has set a good example how organisations can set up an women friendly personnel policy. As far back as 1988 PGGM began to consult on the introduction of a plan to improve the position of women within the company, to be followed by an initial declaration, collective bargaining clauses, an examination of the female workforce, and the appointment of a project

¹³⁴ Landelijke Politie Emancipatie Commissie. 1994. Emancipatie bij de politie. Stand van zaken 1994. Hilversum, LPEC/Intomart

¹³⁵ Dekker, R. & A. Beekes. 1995. *Stapvoets, een evaluatieonderzoek naar het emancipatiebeleid van de Universiteit Utrecht*. Utrecht, Bestuurscommissie Emancipatiebeleid Universiteit Utrecht

¹³⁶ Tijdens, K.G. & C. Sombroek. 1992. *De positie van vrouwelijke werknemers bij DuPont de Nemours vestiging Dordrecht*. Dordrecht, Onderzoeksrapport voor de "M/V"-commissie van DuPont de Nemours

¹³⁷ Chemieconcern DuPont schaft de prikklokken af. In Volkskrant, 99-02-08

¹³⁸ De Jong & Bock, 1995: 197

team that annually assessed progress. In its 1992 plan, among others the company encouraged part-time employment in jobs at senior or managerial levels, and aimed to explore the most suitable forms of flexible working hours during school holidays.

The police forces, known for its equal opportunities policies, developed a policy towards individual working time reduction in most of their regions. All regions are aware of the part-time clause in the collective bargaining, according to a 1994 study. Moreover, in all regions women have part-time jobs, in particular in the non-executive lower grades jobs, where more than 50 percent has a part-time job, up to the executive lower grades, where about 23 percent has so. In the higher grades 32 percent of the women hold part-time jobs, and there is little difference between executive and non-executive staff.¹³⁹

*Price competition based on full-time employment*¹⁴⁰

Firms aiming at a continuously young, female staff are likely to refuse part-time jobs too. One of them is Zeeman, being one of the large Dutch retail stores in low-priced textiles. According to Zeeman's director in his stores part-time jobs are not allowed. Once in a letter to the union negotiator he wrote: "A woman has to chose. In favour of Zeeman or in favour of her family". By recruiting girls and young women, and preventing them to stay for more than a few years, Zeeman prevents his personnel from ageing and thus from becoming more expensive. One major instrument is not to recruit male staff, another instrument is not allowing for part-time jobs, and thus the female staff will quit the company as soon as they marry or have children. By doing so, the firm can realise price competition.

In dedicated professions resistance to part-time jobs is extremely high, such as accountants. Accountants are likely to work full-time.¹⁴¹ Full-time accessibility for customers is said to be a major argument. Yet, in these offices accountants, mostly male, are allowed to become professor next to their job, which then is part-time too. Consultancy firm Moret Ernst & Young faced similar problems. The 120 staff at higher level positions only five are part-time employed. Work pressure is high. Therefore, some staff quit the company. The organisational culture is characterised by high resistance towards part-time employment in these jobs. Recently, the firm set up a study of the possibilities and barriers for part-time employment.¹⁴²

A 1991 study on part-time employment in managerial positions revealed that there were only very few part-time managers, and that firms had negative opinions on part-time employment in managerial

¹³⁹ Landelijke Politie Emancipatie Commissie. 1994. Emancipatie bij de politie. Stand van zaken 1994. Hilversum, LPEC/Intomart

¹⁴⁰ Textielmagnaat Jan Zeeman: 'Jongetjes komen er gewoon niet in'. In Volkskrant, 99-03-08

¹⁴¹ Karsen, T.A. 1995. Deeltijdarbeid voor de openbare registeraccountant: (g)een illusie? De Accountant, pp. 710-713

¹⁴² Parttimers doen het beter. In Carp, 99-03-04

positions.¹⁴³ In 1999, a study on part-time employment in managerial positions revealed that there were still few part-time managers, but meanwhile firms had changed opinions.¹⁴⁴ Now, they had a more positive attitude towards part-time employment in managerial positions. However, the departmental culture was said to be crucial in rewarding requests for part-time employment. Quite common, recruitment for managerial positions concerns full-time jobs. Tenured staff is likely to request part-time employment. Firms are increasingly likely to reward these requests because of labour shortages.

Strengthening women resources management

Within the pillar of strengthening women resources management, we distinguished several features: preferential treatment, recruiting women for male-dominated jobs, career counselling, composition of application committees, and career paths in female-dominated jobs.

Increasing the percentage female workers

During the 1980s, an increasing number of organisations aimed for an increasing proportion of women within the company. This concerned primarily organisations in the public sector, although increasingly organisations in the private sector desired for an increase in the proportion of women. Even Philips electronics, an extremely male-dominated organisation, decided that at least one woman has to be invited for every job opening.¹⁴⁵ In 1984, the board of PTT, a state-owned company involved with postal, telephone and telegraph services, approved a report on women in the firm.¹⁴⁶ The most important aim was to increase the percentage of female workers in jobs and departments where they were severely underrepresented. The underlying firms were not obliged to implement the measurements proposed in the report. After pressure of the women's group, steel works Hoogovens took measures to treat female employees that had quit the company for family reasons, as internal candidates for vacancies, and these women are also entitled to take part in the companies' courses.¹⁴⁷

Yet, increasing the proportion female workers can be reached by many ways, as is shown in the case of the district of Groningen of the telephone company later known as KPN. In 1985, the plant appointed an equal opportunities officer. This resulted in a positive action plan, primarily focussing on human resources management, including preferential treatment and less stress on years of experience in case of vacancies, internal and external. Indeed, an personnel advertisements for system-managers, which were

¹⁴³ De Olde, 1991, see Van Doorne-Huiskes & De Olde, 1993

¹⁴⁴ Deeltijdwerk: nog steeds taboe in middelbare en hogere functies. 1999. Houten, Vakcentrale MHP

¹⁴⁵ Lucent-Vrouwen veroveren Philips. In Volkskrant, 98-04-02

¹⁴⁶ Concernrapport Vrouwenemancipatie PTT

¹⁴⁷ Brouwer, J. 1993. Vrouwvriendelijk beleid hangt af van economisch welzijn van het bedrijf. In Vrouw + Werk, uitgave van het CNV, 10(1): 4-5

in short supply, aimed primarily at female applicants. According to a 1989 evaluation study, indeed no years of experience was required the internal advertisements.¹⁴⁸ However, the preferences for female applicants were mentioned only in one out of the 189 advertisements studied. Moreover, two advertisements explicitly aimed at male applicants by their phrasing, one of which was for a supervisory job. Furthermore, it was shown that for new trainees indeed relatively many women were recruited, but here it concerned clerical jobs in which women were not underrepresented. The aim to promote career paths within female-dominated jobs, but in the telephone district this aim was translated into incidentally held career counselling for female supervisors. Finally, for female workers qualified for higher level managerial jobs an internal training program was aimed at, but at district level the course was set up for female workers at all levels, primarily aiming to behave assertively and personal development, as well as first learning of computers. A survey had shown that about fifteen women, when registering interests, had indicated that they would like to go to courses like that. Moreover, a detailed analyses of all training programs in the years under study showed that female workers were severely underrepresented. Policies to enable part-time hours in all jobs were not implemented. Nevertheless, in far more jobs workers had part-time hours, in particular 32 hours, than could be expected due to the absence of these policies. A re-entrant rule was made, enabling female workers who had left the company due to pregnancy, to re-enter after some years. These rules were not standardised and due to the two years under study this rule could not be evaluated. From 1987 onwards day care facilities are implemented, going up from 10 to 20 the next year and to 30 in 1989. All places were used. Moreover, by mid 1989 the waiting list counted already 47 children. The policy will be continued. Working time regulations are liberalised. Regarding the issue of degendering organisational culture some initiatives were taken, but soon left out again.

Difficulties in reaching target numbers

Central government initiated its 1991-1995 second plan for positive action, aiming both to increase employment opportunities for women in the ministries and to increase women's proportion in higher level jobs. By 1995, 30 percent of staff had to be female, and their share in grade 10 and over had to be 20 percent. An interim evaluation showed that it was likely that the 30 percent goal would be reached within time, but that it was unlikely that the goal of 20 percent in higher job levels would be reached, in particular in the highest job levels growth was very slow.¹⁴⁹

The University of Amsterdam had a similar experience.¹⁵⁰ The higher the grade, the lower the percentage of women, and the more difficulties arose in meeting the targets, which were set according to the labour

¹⁴⁸ Thije, J.M. ten. 1989. Een evaluatie van het emancipatiebeleid van het PTT Telecomdistrict Groningen. Groningen: report on a period of practical training

¹⁴⁹ Dagevos, 1993

¹⁵⁰ Van Kesteren, 1994

supply in the particular occupational group. It turned out that target numbers for the lowest grades were not necessary, because they were met easily in nearly all departments. The targets for PhD students were also easily met. The percentage of females among assistant professors was rising, and targets were nearly met. Yet, targets for professors and associate professors were not met at all. Moreover, none of the departments was willing to set target numbers. The most widely used argument was that too few female candidates were expected to apply.

These two cases happened in public sector, but exactly the same happened in the private sector in the before mentioned telephone company KPN. The target numbers in the district were stratified according to grade. The target for new entrants was 50 percent of females at lower grades and 30 percent at higher grades. It turned out that the 50 percent -target was easily met, while the 30 percent -target was not at all met. After a few years, the targets were abolished. Management argued that the personnel staff did not internalise the issue of the target numbers.

Preferential treatment

Quite obviously, target numbers only do not lead to higher percentages of women in higher grades. Preferential treatment can be a next step, but these policies are seldom found in Dutch firms. Neither attempts from women's pressure groups, nor governmental policies, nor union strategies have shown to be successful in this respect. Preferential treatment as a recruitment policy for women has been debated, but hardly implemented.¹⁵¹ Royal Ahold quite clearly states that the firm does not apply preferential treatment, but that they do have a clear and continuous policy towards equal opportunities for women.¹⁵²

In the late 1990s, the topic disappeared from the industrial relations agenda. Resistance towards preferential treatment was found to be high in firms. A 1994 survey at PGGM, the large pension fund, revealed that 55 percent of the male employees and about 50 percent of the female employees were against preferential treatment.¹⁵³ In 1995, a judgement of the European Court in the Kalanke-case stated that the application of mister Kalanke was not legally dismissed in favour of a female colleague with similar credentials.¹⁵⁴

Women in management positions

In 1993, looking back to the years foregone, a spokeswoman of the women's group at Hoogovens steel

¹⁵¹ De Bruijn & Bleijenbergh, 1996: 55

¹⁵² See their webpages, June 1999.

¹⁵³ Boelens, L. 1996. Integreren is de trend. PW, 96-01-27, pp. 20-23

¹⁵⁴ Boelens, L. 1996. Integreren is de trend. PW, 96-01-27, pp. 20-23

works states that many of the group's demands have been fulfilled with one major exception.¹⁵⁵ The percentage of women in managerial positions has not increased, although quite a few women took the course *Women in management*. This is not unique to steel work companies, it is seen business-wide.

However, there are some good examples too. The municipalities aimed for an increase of women in higher managerial positions, and a study showed that the percentage of women in managerial positions was twice as high in municipalities having an equal opportunities policy compared to municipalities not having such a policy.¹⁵⁶ There were female-dominated organisations that discovered their extreme biased hierarchical structures. In the mid-1980s, Royal Ahold, the owner of the largest supermarket chain in the Netherlands, discovered that whereas more than 50 percent of the total staff was female, only 5 percent of the supervisors was female and 0.5 percent of the local managers.¹⁵⁷

Quite common, interviews with female managers reveal that they have to adapt to the male-dominated organisational culture. They have to learn how to cope with the manners among managers: "They have to have a skin like a rhinoceros".¹⁵⁸ Moreover, an equal opportunities officer within the ABNAMRO bank notices that women in managerial positions are having 'a man's life', that is they adapt to the male cultural setting.¹⁵⁹

A 1993 survey among 300 managing directors in Dutch firms revealed that one out of four thought that it will not be common that women enter higher managerial positions in the near future.¹⁶⁰ Yet, from the mid-1990s, increasingly, the organisations themselves aimed for increasing numbers of women in higher grade positions. This does explain the support for Opportunity in business. In the second half of the 1990s firms increasingly paid attention to the under representation of women in managerial positions.

Already for many years, some large companies aim at recruiting an equal number of male and female trainees. Yet, drop out rates among women are higher than among men. In the Netherlands based multinational Unilever only 5.5 percent of the staff with an income of \$ 100,000 or over is female, which is an average percentage for the Dutch labour market.¹⁶¹ The companies' policy to recruit as many male and female trainees has not resulted in an increase in the percentage of female top managers. On average they stay seven years at Unilever and leave the company then, either to end paid work or to change employer. It is quite likely that these women move to the public sector because arrangements for reconciling work and children are much better there. Although Unilever now aims to change the firm's

¹⁵⁵ Brouwer, J. 1993. Vrouwvriendelijk beleid hangt af van economisch welzijn van het bedrijf. In *Vrouw + Werk*, uitgave van het CNV, 10(1): 4-5

¹⁵⁶ Vrouwen in topposities. In *Bestuursforum*, 95-03

¹⁵⁷ Kroon, C. & L. Scharenborg. 1991. De vrouwen van Filiaal 1063. *Vrij Nederland*, 91-02-09

¹⁵⁸ Vrouwen aan de top. In *Volkskrant*, 99-04-17

¹⁵⁹ Manager (v). In *Volkskrant*, 99-04-09

¹⁶⁰ Vestergaard, R. 1994. Mondig, mondiger, te mondig? In *PW*, 94-11-05

¹⁶¹ Hoge uitval bij vrouwen leidt tot tekort aan managers. In *Volkskrant*, 99-04-08

male-dominated culture, so far it has not really developed policies to enable the reconciliation of work and children, in particular regarding part-time working hours and leave arrangements.

Career counselling

Although the absence of women in managerial positions is business-wide, only in the educational school system this has led to actions, to governmental measurements, to union standpoints, and to public debates, which lasted for nearly one and a half decade. The debates started when the nursery schools were integrated into primary schools. The female school heads quite commonly were not appointed head in the new school. In secondary schools, many schools merged into large educational systems. Here, women had little chance to be appointed as director. In the late 1980s, the state set up courses *Women in management*. About four thousand female teaching staff took the course.¹⁶² Subsidies became available exclusively for female teachers to follow management training courses. For many years, career counselling has been a major issue in primary schools. The effects were minor, as the share of women in school management hardly increased.¹⁶³ The course was considered to be a 'women's course', and thus of little value. Nowadays, being head of a primary school is considered to be a tough job. And not desired by many teachers.¹⁶⁴

Overcoming segregation by gender

Overcoming segregation may appear an easy goal, but it is far from that. Quite common, it is interpreted as women's entrance into male-dominated jobs and not as men's entrance into female-dominated jobs. However, in examining the Dutch labour market, it becomes clear that for quite a few decades employment in male-dominated jobs is declining and employment in female-dominated jobs is inclining. From a job opportunities perspective, overcoming segregation by promoting women's entrance into male-dominated jobs is not likely to be a successful policy. There is resistance among workers in highly female-dominated jobs, who do not want men to enter their jobs, because they are afraid that men will take the supervisory positions. And there is resistance among employees in highly male-dominated jobs, because men are frightened that women will take away their job opportunities.

Although in their European study Olgiati and Shapiro (1998, 6) found that overcoming segregation appeared as one of the strongest factors influencing the development of equal opportunities policies, these results were not found in our study. On the contrary. In some equal opportunities programs we found clauses regarding women entering jobs in extremely male-dominated areas in middle and lower

¹⁶² Leidinggevende vrouw delft onderspit bij fusies in onderwijs. In Volkskrant, 91-12-03

¹⁶³ Bij voorkeur een vrouw. Onderwijsmanager. In Rooie Vrouwen Magazine, 93-03: 17-19

¹⁶⁴ Volkskrant, 99-02-06

grades. Usually these programs failed. We did not come along any program for men entering jobs in extremely female-dominated areas.

Upgrading female-dominated jobs could be a policy too, both by better rewards or by improving career ladders within these jobs. Yet, we did not come along programs to improve either career opportunities or payment in fully female-dominated jobs. Re-evaluation of their skills and abilities proved to be extremely difficult to realise. Quite a few attempts have been undertaken to examine possible gender-bias in job classification systems. The systems owners were fully against such attempts, employers were not willing to let researchers come in and unions did try but have not been successful. One attempt was in health care. Although this may sound surprising, it can be explained from changes in the work force. In the Dutch labour force, we found that the lower the grade, the higher the degree of segregation. Women's increased participation rates predominantly takes place in the in-between jobs.

In manufacturing industry jobs are highly segregated along departmental lines. In the bakeries, women perform the packing, men perform the backing. In many cases, women are headed by a male supervisor. We will end this section with an example from Gispen, a manufacturing producer of office furniture. At their Culemborg plant about 330 people are employed, of which 80% are male.¹⁶⁵ The workforce is highly segregated according to both job and hierarchical level. The women use to work at the office and in sales. A few are employed in the manufacturing department. Since a few years Gispen aims to raise the number of women, both by recruiting girls for their firm school, and by explicitly addressing women in personnel advertisements, but so far this has not been successful. Labour shortages are foreseen because of work force ageing and decreased interest for technical education. Gispen received a positive action grant and a study was undertaken to examine why women's share in the workforce did not increase. The foremen in the manufacturing department were interviewed, some of them had never worked with women. Quite obviously, both foremen and workers are resistant to the entrance of women in the manufacturing department. The study showed a broad range of arguments used by the foremen to exclude women. Integrated work places were not appreciated because of attraction between the sexes. The work was not suitable for women, and the furniture equipment was too large to be handled by women. The jobs provided career opportunities and therefore the foremen are not willing to recruit women. The foremen expected women to have less supervising capacities compared to men. Moreover, women would not be able at all to perform a supervisory job because men would not accept them. Some foremen were not willing to consider whether jobs that had been fulfilled full-time, could be done part-time, and thus limiting women's entrance. It turned out that job rotation increased the chance that the female worker have to perform only the light tasks.. Informal recruitment for a man's job is not likely to reach female applicants, and so are vacancies announced via job centres. However, vacancies announced in newspapers and female friendly text, resulted in an increased share of female applicant. Some foremen had negative

experiences with female workers. For the sales department the supervisor expected that the consumers would not accept female salespersons.

Degendering male-oriented organisational cultures

Within the pillar of degendering organisational cultures, we distinguished issues such as combating sexual harassment, changing gender stereotype thinking, adapting to female-oriented values, co-operation instead of competition, equal representation in decision-making bodies. Except for combating sexual harassment, in firms very little attention is paid to these features. The before mentioned survey aiming at establishments in the province of Zeeland showed that quite common the establishments did not have a coherent package of measures, but usually only one or two had been implemented. Focus on policies for degendering organisational cultures were extremely underrepresented.¹⁶⁶ In general, only a very few extremely male-dominated organisations that were under pressure to have female staff, focussed on degendering organisational cultures.

Degendering male-oriented organisational cultures

From early times, there have been all-male organisations and all-male occupational groups. In recent times, some of these organisations and groups have undertaken serious attempts to increase the share of women, others were forced to do so, and others have not changed policies at all. In this section, focus is on organisations and groups that have undertaken degendering actions. How successful have they been?

Although male-dominated organisations are found in the private and public sector, only in the latter organisations have undertaken serious attempts to increase the share of women, particularly the firemen brigades, the armed forces, and the police forces. A few reasons can be traced. First, organisations in the public sector have to adapt to feminine standards because of public pressure. Second, these organisations have to reflect the sex-typing of their consumers. Third, these organisations face labour market shortages and aimed to recruit among groups that they had not done before.

Changing the police forces

The police forces used to be an all-male organisation, except for some women in the vice squad. In the 1950s, 1960s, and 1970s, despite many vacancies and recruitment aimed at women, the proportion of female employees did not rise. From the early 1980s onwards, when awareness rose regarding gender-biased selection, exclusion of women for specific jobs, and women-unfriendly working hours, an increased

¹⁶⁵ Friedrichs, 1990

¹⁶⁶ Kempe-Geschiere, D. 1994. Naar een nieuw werknemersprofiel? Inventarisatie van een verkenning naar positieve actie in Zeeuwse arbeidsorganisaties. Middelburg: Bureau Positieve Actie

effort was done to reach the goal of a 25 percent of women in the police forces. Day care and part-time employment were introduced. In the mid 1990s however, not even half of this percentage had been reached, and the percentage was even declining.¹⁶⁷ The major problem appeared not to be the recruitment of women. In one case, female police officers were actively involved in recruiting women.¹⁶⁸ Another study revealed that the police forces did not discriminate when recruiting policemen.¹⁶⁹ The major problem was related to the fact that female employees left the forces after some years, predominantly because of the male-dominated organisational culture. They felt that they were forced to either accept their male colleagues' jokes and insinuations, or had to leave the forces. Also they felt a lack of career perspectives.¹⁷⁰ Two out of three female policemen reported to be confronted with either type of sexual harassment.¹⁷¹ In 1995, one of the first female police officers who went to the police school in 1970 reflecting on her career as a detective in the police force states: " I have learned to fight hard to get a place within the police forces There were police men, stating clearly: "I will not work under a women", and then I had to say, that it was their problem, not mine".¹⁷²

Preventing sexual harassment

In the 1980s firms' awareness regarding sexual harassment at work increased, mainly because of publicity and pressure from local, non-governmental organisations, as described in section. In 1983, for example, a local committee presented a study on sexual harassment at Hoogovens steel works.¹⁷³ In 1987, a study at the Nijmegen plant of Philips electronics company revealed female workers, a minority of 5 percent of all staff in the plant, said that sexual harassment was very common, ranging from sexually loaded remarks to pawing.¹⁷⁴ Moreover, sexual harassment by the male staff caused problems regarding co-operation within the female staff. Some women were eager to refuse men's behaviour, whereas other women were just accepting. Recruitment of female workers aged 40 or older was assumed to solve this co-operating problem, because these women in general were not so eager to react on men's remarks.

During the 1980s, an increasing number of companies issued sexual harassment regulations, mostly as part of a positive action plan. In the telecommunications company KPN, for example, in case of sexual

¹⁶⁷ Aantal politievrouwen lager dan doelstelling. In Volkskrant, 95-12-30

¹⁶⁸ Vrouwen bij politie werven seksegenotes. In Volkskrant, 90-04-02

¹⁶⁹ Jacobs, M.A., A. van Doorne-Huiskes, J.J. Schippers & J.J. Siegers. 1990. Werving en selectie van vrouwen bij de politie. *Tijdschrift voor Arbeidsvraagstukken*, 6(2), 22-38

¹⁷⁰ Pott-Buter, H. & K. Tijdens (eds.). 1998. Vrouwen leven en werk in de twintigste eeuw. Amsterdam, Amsterdam University Press, pp. 301-306

¹⁷¹ Tweederde agentes lastig gevallen door mannelijke collega's. In Volkskrant, 92-04-17

¹⁷² Een goede diender heeft vrouwelijke eigenschappen. In Opzij, 11-1994

¹⁷³ Steungroep Handen Thuis. 1983. *Rapport over ongewenste intimiteiten bij Hoogovens*. Beverwijk, Steungroep Handen Thuis

¹⁷⁴ Heesmans, 1987: 87-89

harassment employees could approach the positive action officer.¹⁷⁵ Towards the late 1980s, however, it had become clear that the positive action officer and the social worker had two distinct roles. Increasingly, social assistance for victims of sexual harassment was considered to be part of the companies' social work, and sexual harassment was perceived to be part of the regulations for working conditions. If female, the company doctor or the social worker was appointed as trusted person. GVB, the Amsterdam public transport company, was among the first to appoint a trusted representative.¹⁷⁶

In 1990, employers associations, unions and government agreed on the necessity of sexual harassment regulations. The number of CLA's with regulations increased, and in the 1994 Act on working conditions firms were forced to develop a policy towards sexual harassment. Due to these outside influences and to inside pressures from women's groups and personnel officers, an increasing number of firms made sexual harassment regulations. A study on 50 organisations with sexual harassment regulations shows that these firms have taken measures because they felt forced to by the collective agreement, by research results, by societal pressures, or by pressure from the works council or from unions and finally complaints by victims within the firm.¹⁷⁷ In 1991 and 1996, the Labour Inspectorate surveyed organisations to what extent they had sexual harassment regulations.¹⁷⁸ These studies covered a sample of the establishments with 100 employees or more in the public and private sector, excluding central government and municipalities. The results show that within five years the percentage of organisations having sexual harassment regulations increased from 18% to 75%!

Within the organisations, the set of measures did not change very much over time. Organisations recently having initiated a policy, adapted to the measures their colleague-enterprises already had taken. In both years, appointing a trusted person, and setting up a grievance committee or setting up grievance procedure were by far the most common measures to be taken. Furthermore, three in four organisations with a policy took measures to prevent sexual harassment, such as giving advice in company papers or folders, discussing the issue at staff meetings, and training supervisors in attendance to and coping with the issue.

It has been assumed that male employees actively engage in the sex-typing of occupations, in order to protect their privileges from the encroachments of women.¹⁷⁹ Sexual harassment is used as the most extreme mechanism for putting women in their place and excluding them from a male work culture. According to the literature overview, we indeed found active policies in organisations aiming to explicitly

¹⁷⁵ According to the 1989 evaluation of the positive action plan, see Thije, J.M. ten. 1989. Een evaluatie van het emancipatiebeleid van het PTT Telecomdistrict Groningen. Groningen: report on a period of practical training

¹⁷⁶ Denswil, E. 1989. Evaluatieverslag vertrouwensvrouw Gemeentevervoerbedrijf Amsterdam. Amsterdam: Gemeentevervoerbedrijf

¹⁷⁷ Van Amstel & Volkers, 1993

¹⁷⁸ This section is based on De Vries & Van Hoorn, 1997: 45

recruiting women for traditionally extremely male-dominated jobs, in particular the police forces.¹⁸⁰ While attempting to increase the percentage of female police officers, a study revealed that improper behaviour was widespread among the police forces.¹⁸¹ The national Network for Policewomen proposed measures to be taken, and these were even discussed internationally in the European Network for Policewomen.¹⁸² Sexual harassment regulations were very much supported by the managerial staff. A study among 61 managerial staff of the police region in mid- and west Brabant showed that 93% supported a grievance procedure, 85% a grievance committee, and 74% was likely to support the appointment of a local trusted representative.¹⁸³ However, the managers partly showed tolerance towards nude posters and calendars, jokes and sex movies. Most of them were not at all so sure how to behave in case of sexual harassment and related issues. Regarding more serious offences the managers were determinant to behave firmly. Nearly one out of four supervisors in their job had once or more received a complaint from a female police officer suffering from sexual harassment by colleagues or superiors. No studies were found reporting to what extent the regulations were embedded in the forces. More than a year after the 1993 survey about sexual harassment in the police forces, only three in 26 forces had set up any policy to prevent sexual harassment.¹⁸⁴

We found also active policies in the extremely female-dominated care sector, where female workers had to cope with male patients. Already in 1987, the home help service were among the first to pay attention to this topic.¹⁸⁵ A private foundation was established to develop policies.¹⁸⁶ Since 1990, the organisations had to develop sexual harassment policies. Nevertheless, in 1993 a study revealed that these were not embedded in the home help organisations.¹⁸⁷ The issue was broadened when attention shifted towards female patients being victims of sexual harassment from doctors and social workers.¹⁸⁸ Finally, attention

¹⁷⁹ Cockburn, 1983

¹⁸⁰ According to an overview of the Women's Archives.

¹⁸¹ Verslag Conferentie "Beleid tegen seksuele intimidatie: organisatiebelang": 27 mei 1993: georganiseerd door de Landelijke Politie Emancipatie Commissie / W. Velders-Vlasblom (voorw.). - Utrecht: Landelijke Politie Emancipatie Commissie, 1993

"Dat hoort er nu eenmaal bij ...": aard en omvang van ongewenste omgangsvormen bij de Nederlandse politie / Liesbeth Eikenaar . -Amersfoort: LPEC, 1993

¹⁸² De Visser, I. 1994. Internationale consensus over aanpak seksuele intimidatie. *Dien*, 9(1), 15-16

¹⁸³ Ott & Knippers, 1993

¹⁸⁴ Van Hout, F. 1994. Harder optreden tegen ongewenst gedrag. *PW*, november

¹⁸⁵ Koudijs, J. & H. Roos. 1987. *Ongewenste intimiteiten in de gezinsverzorging: studiedag 'drie jaar na gepakt' van discussie naar beleid*. Amsterdam: Stichting Ongewenste Intimiteiten in de Gezinsverzorging

¹⁸⁶ Borghstijn, M. 1994. Ongewenste intimiteiten in de thuiszorg: wind mee en wind tegen. *Vrouw & gezondheidszorg*, 3(1), 16-17

¹⁸⁷ Dijkstra, S. 1993. 'Is de klant nog steeds koning in de gezinszorg?' Het beleid van instellingen om ongewenste intimiteiten tegen te gaan onder de loupe. *Tijdschrift voor arbeidsvraagstukken*, 9 (2), 167-179

¹⁸⁸ Inspectie voor de Gezondheidszorg. 1996. *Seksuele intimidatie door hulpverleners: meldingen bij de Inspectie voor de Gezondheidszorg 1993/1994*. Rijswijk: Ministerie van Volksgezondheid, Welzijn en

was paid to the treatment of persons suffering from sexual harassment. In the latter case, in order to prevent female workers from sexual harassment from patients, family welfare organisations have developed a program for their staff in coping with this issue.¹⁸⁹

Is sexual harassment at work a severe problem? Surveys reveal high percentages of female workers who suffered at least once from sexual harassment. A study of the University of Groningen found that three out of five female workers had been confronted with sexual harassment.¹⁹⁰ A union survey even reporting one in three.¹⁹¹ A survey among female workers in companies with sexual harassment regulations reports nearly one in four.¹⁹² A survey among female office workers in manufacturing industry reveals that while one in six secretaries reported having been a victim of sexual harassment at least once, the percentage is one in nine of the remaining group.¹⁹³ A survey among female police officers revealed that four out of five had continuously experienced sexist remarks, three out of five complaint about physical manners from male colleagues, and one out of ten reported being felt up.¹⁹⁴ The Ministry of Social Affairs and Employment estimates that one in ten female workers is confronted with sexual aggression and violence, as well as sexual harassment.¹⁹⁵ Shifts during night and weekends, direct contact with customers, fixed contracts and low job levels are said to be major risk factors.

In surveys, usually the occupations are not measured detailed enough to provide information on the thesis that sexual harassment is used by male colleagues as the most extreme mechanism for putting women in their place. However, some surveys had questions about the offenders. According to one survey, the offenders are most likely to be male colleagues from the same department (48%), followed by male colleagues from other departments (27%), male supervisors (25%), and male patients (12%).¹⁹⁶ These percentages add up to more than 100%, because some victims reported more than one case. More research is needed to acquire knowledge about the victims of sexual harassment.

Regardless the substantial attempts to set up regulations, sexual harassment at work is only to a little extent reported to trusted representatives within firms. Comparing the high percentages of employees that suffered from sexual harassment to the number of employees reporting of sexual harassment, it can be assumed that by most cases are not reported. A study in 48 organisations with sexual harassment

Sport

¹⁸⁹ Dijkstra, S. 1993. 'Is de klant nog steeds koning in de gezinszorg?' Het beleid van instellingen om ongewenste intimiteiten tegen te gaan onder de loupe. *Tijdschrift voor arbeidsvraagstukken*, 9 (2), 167-179

¹⁹⁰ Hout, F. van. 1994. Harder optreden tegen ongewenst gedrag. *PW*, november

¹⁹¹ Clerck, D. de & C. Stam. 1993. 'Of ik met mijn lippenstift de jongens soms lekker wil maken'. *Aaneen*, 14(2), 14-7

¹⁹² Van Amstel & Volkers, 1993, 101

¹⁹³ T-value -2.51, p<.05, N=1252, missing cases=9

¹⁹⁴ Van Hout, F. 1994. Harder optreden tegen ongewenst gedrag. *PW*, november

¹⁹⁵ Seksuele intimidatie: een fors probleem. *SZW-Nieuws*, 99-03-18

¹⁹⁶ Van Amstel & Volkers, 1993: 105

regulations revealed that in one in three organisations no cases at all had been reported in the foregone two years, in half of the organisations one to five cases had been reported and in the remaining group more than five cases had been reported.¹⁹⁷ Within the organisations reporting one to five cases, no clear relationship was found for size of the company nor for the percentage of women in the work force. Nearly half of the reports came from female clerical workers. This seems in contrast to the relatively low percentages that were found in the survey among female office workers in manufacturing industry and in the survey among female workers in companies with sexual harassment regulations. Again, more research is needed to acquire knowledge about the reporting of sexual harassment cases.

Sexual harassment was associated with both a bad work climate and thus influencing productivity, and with a negative impact on the organisation's image. Later research showed that indeed sexual harassment went along with physical complaints, depressions, anxiety and hostility, but not with increased absenteeism at work.¹⁹⁸ A study by the largest public services union revealed that one in three female workers had once suffered from sexual harassment at work.¹⁹⁹

Equalising pay and working conditions

Within the pillar equalising pay and working conditions, we distinguished issues such as equal pay, equalising part-time and full-time employment, reviewing job classification, equalising fringe benefits and pension rights, etceteras. In firms, hardly any attention was paid to these features, as is shown below.

Equalising men's and women's wages

In the 1980s, the Labour Inspectorate performed a few studies on women's and men's wages, but it was not until 1987 that the first statistical analyses were made on the gender wage gap in the Netherlands. Incorporating human capital variables, in particular education, tenure with previous employers, tenure with current employer, and marital status, this analysis showed that compared to these variables gender had the largest effect in explaining hourly wages.²⁰⁰ Incorporating age, firm size, sector, job level, working hours and shift work, another analysis showed the large impact of gender, but also indicated the impact of age and part-time employment.²⁰¹ In analysing the impact of gender on the wage gap, during the 1990s, main focus was on gender segregation. Female and male employees do not differ regarding educational

¹⁹⁷ Van Amstel & Volkers, 1993: 101

¹⁹⁸ De Heus et al, 1995

¹⁹⁹ Clerck, D. de & C. Stam. 1993. 'Of ik met mijn lippenstift de jongens soms lekker wil maken'. *Aaneen*, 14(2), 14-17

²⁰⁰ Schippers, 1987

²⁰¹ Van Driel & Israels, 1987

level, but they do in educational field, which explains part of the gender gap.²⁰²

Already in 1984, parliament demanded the secretary of state on women's affairs to examine the assumed gender-bias in job classification systems.²⁰³ In 1988, the Labour Inspectorate examining job classification in central government, concluded that there was no evidence that women were discriminated against. In this study, the Labour Inspectorate rated the jobs itself and then compared the findings to the existing rating. Findings were similar for male-dominated and for female-dominated jobs. Moreover, complaints about decisions regarding job rating were found equally among male and female workers. However, the job classification processes were performed by men only. No female rating officers were found.

A recent study showed that occupational segregation contributed in several ways to the gender wage gap. Occupational level based on training requirements, the gender concentration of the occupation, and occupation-specific indicators of supervisory tasks explain the largest part of the observed 30% gender wage gap.²⁰⁴ So far, in the Netherlands there are no studies reported examining statistically the impact of both rating points for given criteria and choice of rating criteria on the gender wage. Moreover, there are no studies indicating whether or not it is beneficial for women that their jobs are part of a job classification system.

Equalising part-time and full-time work

The issue of equalising part-time and full-time employment has predominantly been subject to legislation. We did not find any organisations aiming to do so.

Conclusion regarding equal opportunities in firms

In 1996, according to Statistics Netherlands, more than half of the 626,000 in the Netherlands based firms are a single-person firm without employees. Only 6,335 firms, that is 1 percent, employ a hundred people and over. These firms altogether employ 3.27 million people, which are 58 percent of the Dutch labour force. Only 1,100 firms employ 500 people and over, but these firms altogether employ nearly 2.15 million people or 38 percent of the labour force. Most studies on equal opportunities policies concern firms employing more than 500 people. Studies that also cover smaller businesses reveal very low percentages of firms having an equal opportunity policy. A survey aiming at all establishments in the province of Zeeland came to 4 percent. These four percent were predominantly found in the public sector, the banking sector and the care sector. Other studies found similar percentages.

²⁰² Kalmijn & Van der Lippe, 1997

²⁰³ Labour Inspectorate, 1989

²⁰⁴ Bakker et al., 1999

At the turn of the decade, interests in positive action programs was at its height. Between 1990 and 1996, the percentage of firms having a positive action plan declined, probably because of the successes of the measures so far. In particular, to a large extent the reconciliation of work and family was improved due to substantially increased opportunities for working time reduction and for child care facilities. Furthermore, recruitment of women was hardly a problem, the percentage of women in the labour force had increased, and the percentage of women continuing working after giving child birth had also increased substantially.

Groups of female employees in firms have played a pivotal role in setting up equal opportunities policies. In the late 1960s and early 1970s, women's groups came into being based on political view, and common interests. It was until the late 1970s, that female employees set up their own women's interests group in private and public sector organisations. Alongside the state subsidies and the impact of collective bargaining clauses, these groups have been the most important engines for the process of gaining equal opportunities. In many firms women's pressure groups were initiated by female employees themselves, mostly continuing for quite a few years. Quite common, these pressure groups acted as a works council's committee. In recent years, women's network groups were set up. These groups were different, as the target group explicitly aims at women in higher grades. These groups did not have a relationship with the works councils. In 1996, the national network of equal opportunities officers, including a 150 firms, predominantly public sector organisations and a thirty profit firms, concluded that these organisations showed decreased interest in positive action programs. The majority of the members now were involved with either mainstreaming policies towards women into the overall personnel policies or to integrate the policies towards women into a so-called 'diversity' policy. These latter policies aim at a staff, that is increasingly diverse in terms of ethnic group and gender.

Within the pillar of reconciling work and family, our study shows that since the early 1980s subsequent firms have established policies to enable lifelong employment for women. These policies aim predominantly towards reconciliation of work and family. In the 1990s, organisations increasingly were willing to contribute financially to their employees' day care costs. In 1996, about 70 percent of the organisations employing 500 people and over had such regulations. Working time arrangements were the easiest goal. Since the 1980s, an increasing number of organisations was willing to reward female employees' requests for reduced working hours. A steady growing number of female workers was eager to set up a family, while preferring reduced working hours, instead of choosing a homemaker career. Manufacturing industry was among the last to accept part-time employment. In 1991, at DuPont chemical plant, a female employees' pressure group demanded for part-time employment. In 1998, its US headquarter announced its 'work-life' program for its three Dutch plants. Now, employees could set their own working hours, provided that the work was done within an agreed period of time. Towards the end of the 1990s, rewarding requests for reduced working hours has become business-wide practice. Yet, extended paid parental leave is increasingly under pressure, because firms judge labour costs too high. Setting up child care hardly proved to be a problem. On the other hand, arranging leave facilities, in

particular when it concerned paid facilities, caused severe problems. The biggest difference between these two arrangements is that employees are present at work in the case of child care, and absent in case of leave facilities. That is a severe problem in times of extensive staffing.

Within the pillar of strengthening women resources management, we distinguished features such as preferential treatment, recruiting women for male-dominated jobs, career counselling, setting target numbers, and career paths in female-dominated jobs. These policies have not been very successful. In particular programs recruiting women for male-dominated jobs turned out to be failure. Setting target numbers occurred predominantly in the public sector. Yet, it turned out that target numbers for the lowest grades were unnecessary, because they were met easily. The higher the grade, the lower the percentage of women, and the more difficulties arose in both having targets set and meeting the targets. In the private sector, increasing the percentage of women in managerial positions turned out to be extremely difficult too. In education, in particular in primary and secondary schools, the low percentage of female school heads led to a public debate, which lasted for nearly one and a half decade. Regardless the management training programs for female teachers, the percentage female school heads did not increase. Towards the end of the 1990s, increasingly boards of directors declared to aim for a growth of female managers. Although quite common firms have a fifty-fifty distribution between the genders in trainee programs, this has not resulted in progress regarding women at higher job levels so far.

Within the pillar of degendering organisational cultures, we distinguished issues such as combating sexual harassment, changing gender stereotype thinking, adapting to female-oriented values such as co-operation instead of competition, and equal representation in decision-making bodies. Except for combating sexual harassment, focus on policies to degender organisational cultures were extremely underrepresented. In general, only a very few extremely male-dominated organisations that were under pressure to have female staff, focussed on degendering organisational cultures, in particular the military and the police forces.

Within the pillar equalising pay and working conditions, we distinguished issues such as equal pay, equalising part-time and full-time employment, reviewing job classification, equalising fringe benefits and pension rights, etceteras. In firms, hardly any attention was paid to these features. Quite common it was viewed as the domain of legislation and collective bargaining.

Chapter 6

Which firms have equal opportunities policies and which have not?

In this section we investigate which organisations have equal opportunities policies and which have not, why they do so. For this study we performed statistical analyses using the data-set with 1996 data from 308 firms.

Theorising equal opportunities policies

Olgati and Shapiro (1998) assume that enterprises facing skill shortages on the labour market, will be more likely to have positive action programs because these shortages add urgency to the need for equality initiatives aimed at retaining existing skills within an organisation. Furthermore, they assume that extremely male-dominated enterprises or enterprises employing male-dominated jobs, will be more likely to recruit and employ women into non-traditional areas of work.

The impact of legislation and regulation, be it from the national governments or from the European Union, is assumed to be the determinant factor to influence organisations in having equal opportunities policies.²⁰⁵ In our study, this assumption was not supported for the Netherlands. Organisations were likely to have equal opportunities policies without legislative pressure.

Remery (1998) assumes that organisations in the public sector will be more likely to have an equal opportunities policy than firms in the private sector will be, because the former will be more conscienceous to public relations. Furthermore, she expects larger organisations to be more likely to have an equal opportunity policy compared to medium-sized or small companies. The author found that the probability of having an increase in the proportion of both female employees in total and female employees at higher job levels was higher in organisations offering facilities regarding the reconciliation of work and family than in organisations that did not have such policies.

²⁰⁵ Walby, 1999

Data and assumptions

Assumptions

Two major arguments may have an impact on employers to implement equal opportunities policies. First, employers may want to increase the proportion of women. Second, employers may be put under pressure to adapt equal opportunities policies. This pressure may come from groups of female employees, from unions or from the government. Of course the organisations may face countervailing power, for example from groups of male employees, from unions, or from occupational associations.

We hypothesise that public sector organisations are more likely to implement equal opportunities policies than private sector organisations, because the former will be more responsive to pressure from government.

We hypothesise that extremely male-dominated organisations are not likely to have equal opportunities policies, because of the countervailing power within the staff.

We hypothesise that extremely female-dominated organisations are not likely to have equal opportunities policies, because there is no need to implement measures in the pillar of strengthening women resources.

The data-set

The data-set that is used for this study is part of a five-year research project on organisational changes.²⁰⁶ This data-set contains variables for numerous forms of equal opportunities policies and personnel data of 308 organisations for 1996. We investigated the characteristics of organisations having equal opportunities policies compared to the organisations that do not have these policies. Data was gathered through coding the organisations' annual social reports.²⁰⁷ Most large Dutch companies and institutions publish social reports for their employees and their works' councils. These reports usually include information about both the numbers of employees and the major human resources policies. One could assume that social reports are largely public relations exercises, or at least that they do not tell the whole story. The former is inaccurate, because generally the social reports are not for external use, the latter could possibly be accurate. Yet, in a study of twenty consecutive reports for each of the four large banks sector it was shown that the human resources management regarding part-time employment could vary

²⁰⁶ This project is funded by the Dutch Scientific Organisation (NWO-aandachtsgebied, NWO/ESR grant no 510-02-0305).

²⁰⁷ See for the research proposal Van Doorne-Huiskes et al, 1997; see for the description of the dataset Tijdens et al, 1998

well be reconstructed.²⁰⁸

Only the 3,075 organisations with 200 domestic employees and over were sampled. Two sources were used to sample these organisations, namely the data-set of the Chambers of Commerce for organisations in the private sector and the Almanac with all organisations in the public domain. The sampling design was stratified according to firm size, because we aimed for an equal number of organisations in the categories 200-500 employees, 500-1000 employees, 1000-5000 employees, and 5000 employees and over. In the second stage, additional organisations were sampled to correct for biases in the distribution over sectors. Altogether 1,183 organisations received a request from us, that is 38 percent of the total population. From 486 organisations, or 34 percent, we received a financial, social or other annual report about 1996. From 4 percent we got a telephone call stating that the organisation had no social annual report, and 62 percent we received no reaction. When coding the reports, it appeared that only 308 could be coded, because the remaining reports included only financial information or too little information on the staff. An additional 3 organisations said that their 1997 social annual report would include the information about 1996. Thus, the panel consist of 311 organisations, of which 306 have responded for 1996. In may 1998, altogether 311 organisations have been requested to send their 1997 annual social report.

Policies for reconciling work and family life

Within the pillar of reconciling work and family life, four variables have been coded in the data-set of the social annual reports 1996. These variables are parental leave, policies to enable part-time employment, time-on-choice, or presence of childcare arrangements, be it a financial support or a company-based childcare centre. The phenomenon of time-on-choice may need some explanation. Since the early 1990s, on the one hand the unions for higher staff increasingly have asked for individual regulations regarding overtime work and work on free days. This extra working time could either be paid or saved for early retirement. On the other hand, the employee could take extra days off, while the equivalent of pay was subtracted. All unions adopted the possibility to exchange time and pay. This exchange was strictly regulated in collective agreements.

Overlooking table 6.1, with 35 percent day care is most present in organisations compared to parental leave, time-on-choice and part-time employment. Regarding the latter, part-time employment is so much spread among organisations that it will not be mentioned as such in the social annual report, but only if the organisation has developed any promoting policies towards part-time employment. The high percentage of part-time employees in administration and education may explain that none of the organisations in this sector has a policy towards part-time employment.

²⁰⁸ See Tijdens, 1998 (Time allocation)

Table 6.1 Percentage of organisations within the industry, having policies in the pillar of reconciling work and family life (N=308)

	Manuf. industr	Transport building	Banks Services	Administr education	Health welfare	Total
Parental leave	5 %	0 %	13%	56 %	8 %	16 %
Day care	15 %	19 %	29 %	72 %	41 %	35 %
Time-on-choice	10 %	6 %	8 %	3 %	3 %	6 %
Part-time employment	4 %	2 %	8%	0 %	11 %	5 %
Policy in this pillar	28 %	26 %	35 %	75 %	49 %	43 %

Source Data-set Social Annual Reports 1996

According to the cross-tables, organisations in administration and education have high percentages of equal opportunities policies regarding reconciliation of work and family live. This is confirmed in the logistic regression (table 6.2). When taking into account the variables firm size, sector and percentage female employees, we are able to predict which organisations are likely to have equal opportunities policies in this pillar by using logistic regression analyses. Compared to female-dominated organisations, integrated organisations are significantly more likely to have these policies. We also found that, compared to the health care and welfare sector, both manufacturing industry and the utilities/building/trade/transport industries are significantly less likely to have these policies. On the other hand, as expected, in administration and education organisations are significantly more likely to have policies in this pillar. Firm size is not a significant contributor to the explanation. To conclude, the likelihood of having an equal opportunities policy is significantly higher for organisations in the administration and education and in organisations that have more than one plant.

Table 6.2 Logistic regression predicting which organisations have policies in the pillar of reconciling work and family life (N=308)

More than one plant (1=yes, 0=no)	-,03
Internal labour market (1=yes, 0=no)	,35
Percentage women (61-100% is reference group)	
Percentage women 0-20	-,14
Percentage women 21-60	,46*
Industry (health care + welfare is reference group)	
Manufacturing industry	-,66**
Utilities + building + trade + transport	-,69*
Banks + Services	-,33
Administration + education	1,16***
Company size (<= 500 people is reference group)	
Company size 501-1000 people	,28
Company size 1001-200 people	,15
Company size > 2000 people	-,13

Constant	-,40
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Source Data-set Social Annual Reports 1996 * $p=10\%$, ** $p=1\%$, *** $p=0,1\%$

Policies to strengthen women resources

Altogether 14 percent of the 308 organisations have a policy towards strengthening women resources management (see table 6.3). In chapter 1, these policies were clustered in one pillar. Four variables have been registered within this pillar, namely promoting career opportunities for women, increasing recruitment of female employees, increasing numbers of women in male-dominated jobs, and finally increasing women's share in managerial jobs. Table 6.3 shows that within this pillar organisations are most likely to develop policies regarding an increased recruitment of female employees (9 percent). Organisations are far less likely to develop policies towards an increasing share of women in both male-dominated jobs or managerial jobs (4 percent).

Organisations in administration and education are by far the most likely to have an equal opportunities policy. Whereas in all industries the share of organisations having equal opportunities policies in this pillar is 8 percent or less, and even 2 percent in utilities/ building/trade/transport industry, it is 55 percent in administration and education.

Table 6.3 Percentage of organisations within the industry, having policies in the pillar of strengthening women resources management (N=308)

	Manufact. industry	Transport building	Banks Services	Administr education	Health welfare	Total
Career opportunities	1 %	0 %	2 %	22 %	3 %	6 %
Increasing recruitment	3 %	2 %	6 %	30 %	3 %	9 %
Women in male-dom jobs	1 %	0 %	2 %	16 %	2 %	4 %
Women in management	1 %	0 %	2 %	14 %	3 %	4 %
Policy in this pillar	3 %	2 %	8 %	55 %	3 %	14 %

Source Data-set Social Annual Reports 1996

In examining equal opportunities policies in pillar of strengthening women resources management, we related the presence of these policies to the share of female employees in the organisation. Table 6.4

shows that organisations employing 21 to 40 percent of women are most likely to have such a policy (36 percent). Extremely female-dominated organisations do not at all have these policies (0 percent). Furthermore, extremely male-dominated organisations also are not likely to have equal opportunities policies, though a few have them (6 percent).

Table 6.4 Percentage of organisations having an equal opportunities policy in the pillar of strengthening women resources management, distributed by percentage of female employees (N=308)

	0-20% F	21-40% F	41-60% F	61-80% F	81-100% F	Total
No	94 %	64 %	79 %	96 %	100 %	86 %
Yes	6 %	36 %	21 %	4 %	0 %	14 %
Distribution	50 %	23 %	12 %	8 %	6 %	100 %

Source *Data-set Social Annual Reports 1996*

Table 6.5 shows that large organisations are most likely to have an equal opportunities policy. Whereas in organisations employing less than 2,000 people the percentage of organisations having equal opportunities policies varies from 10 to 14 percent, it is 20 in the organisations employing more than 2,000 people.

Table 6.5 Organisations having equal opportunities policies in the pillar of strengthening women resources management, distributed by firm size (N=308)

	<= 500	501-1000	1001-2000	>2000	Total
No	88 %	86 %	90 %	80 %	86 %
Yes	12 %	14 %	10 %	20 %	14 %
Distribut	25 %	23 %	23 %	29 %	100 %

Source *Data-set Social Annual Reports 1996*

In the cross-tables we found that in administration and education organisations had high percentages of equal opportunities policies. This is confirmed in the logistic regression (see table 6.6). When taking into account the variables percentage female employees, firm size and sector, we are able to predict which organisations are likely to have equal opportunities policies by using logistic regression analyses. We found that one sector is significantly more likely to have organisations with equal opportunity policies, namely in administration and education. Manufacturing industry and the building and trade firms are less likely to have equal opportunities policies, but these findings are not significant. Compared to female-dominated organisations, integrated organisations, thus where the share of female workers varies between 20 and 60 percent, are more likely to have an equal opportunities policy, though these findings are not significant too. Firm size is also not a significant contributor to the explanation. Though large

organisations are more likely to have an equal opportunities policy, this finding is not significant. Thus, the likelihood of having an equal opportunities policy is significantly higher for organisations in the administration and education and in organisations that have more than one plant.

Table 6.6 Logistic regression predicting which organisations have equal opportunity policies in the pillar of strengthening women resources management (N=308)

More than one plant (1=yes, 0=no)	-1,74**
Internal labour market (1=yes, 0=no)	,68
Percentage women (61-100% is reference group)	
Percentage women 0-20	-,19
Percentage women 21-60	,82
Industry (health care + welfare is reference group)	
Manufacturing industry	-,90
Utilities + building + trade + transport	-1,02
Banks + Services	,29
Administration + education	2,52***
Company size (<= 500 people is reference group)	
Company size 501-1000 people	,01
Company size 1001-200 people	-,10
Company size > 2000 people	,44
Constant	-1,91**

Source Data-set Social Annual Reports 1996 * $p=10\%$, ** $p=1\%$, *** $p=0,1\%$

Conclusion

In this chapter we studied which organisations are likely to have equal opportunities policies and which are not. Focus has been on the presence of policies in the pillar of strengthening women resources management and in the pillar of reconciliation of work and family life. Far more organisations had policies towards the latter pillar, notably 43 percent, than to the former pillar, notably 14 percent. In particular, policies in the pillar of strengthening women resources management are nearly absent in the private sector and in health care and welfare. On the other hand, 55 percent of the organisations in administration and education do have policies in this pillar. A similar distribution, though far less extreme, can be noticed for the policies in the pillar of reconciliation of work and family life. Here, even 75 percent of the organisations in administration and education do have these policies, but now, in the private sector and in health care and welfare the percentages vary between 25 and 50. Not surprisingly, for both pillars we found that sector is the best predictor in explaining which organisations have these policies and which have not. Company size is not relevant. In the pillar of reconciliation organisations in which 21-60 percent of the work force is female, are most likely to have these policies. In the pillar of women resources, organisations with more than one plant are more likely to have these policies.

Chapter 7

Equal opportunities policies in banking

This chapter deals with equal opportunities policies in banking. Focus is on both firm-specific policies and implementation of collective agreements related to equal opportunities. The analysis is based upon telephone interviews with key persons in the major banks, upon press releases from both the banks and the unions, upon the banks' annual social reports and upon newspaper interviews with key persons.

Market structure

Emerging in the nineteenth century, there was a broad range of different types of banks up until the early 1960s, when retail banking broke through traditional barriers. Bank organisations were transformed, resulting in an expansion of both the number of local branches and the size of the workforce. A rapid concentration followed, resulting in three large listed banks: ABN, AMRO and NMB. In the early 1970s, the co-operative banks for the agricultural sector merged into a fourth large bank, called RABO.

In the mid-1980s, the outsider position of the large state-owned Postgirobank changed when it was privatised. In 1990, NMB and Postgirobank joined forces. A year later, the new combination, holding the largest share in retail banking, merged with a large insurance firm to become ING. In the same year, ABN and AMRO merged into ABNAMRO. Now, this bank is the leading financial intermediary and treasures for Dutch companies has branches all over the world. RABO, holding the largest share in the savings market, remained on its own, though it strengthened its alliances with an insurance firm and the largest Dutch investment fund.

In 1998, the number of banks totalled 100 where altogether 126,000 persons are employed.²⁰⁹ The three large banks employ three quarters of total employment. According to the banks' reports, RABO employs 41,000, ABNAMRO 34,000, and ING-Bank 20,000 persons. Five medium-sized banks employ between 1,000 and 10,000 persons. Finally, more than 90 banks, mostly from foreign origin, count less than a 1,000 employees

Industrial relations

Since the first agreement in 1950, collective agreements in the banking sector are negotiated between the employers' association and trade unions. Although recently, decentralisation towards company bargaining is undoubtedly the trend, this has not happened in banking so far. The Employers' Association in the Banking Industry (WGVB) comprises all major and nearly all smaller banks. Density is near 100 percent, when taking into account the number of employees. WGVB runs a tight membership; members have to announce their disaffiliation one year in advance.²¹⁰

At present, four unions are involved in the negotiations, of which the former FNV Service Union is the largest, organising more than 10,000 staff. In 1998, this union merged with three large unions of the Trade Union Confederation into FNV-Bondgenoten. The CNV Service Union is affiliated to the Protestant Christian Trade Union Federation and has some 3,200 members in banking. The Union of Clerical and Commercial Staff, called Unie BLHP, which is affiliated with the MHP Federation for Middle and Higher staff, has 10,000 members in banking. Another MHP affiliate, the BBV, that aims at bank staff only, totals 1,600 members.²¹¹ Altogether unionisation is now 25 percent, much higher than the 7 percent in the late 1970s.

After the Second World War, codetermination became highly codified. Under the 1950 Works Councils Act, workers were entitled to representation in joint councils, chaired by the employer. During the 1950s, all large banks set up Works Councils, but their role remained subservient until the 1979 Works Councils Act. This Act gave the councils a number of statutory rights that can be used in efforts to influence managerial decisions and transformed them into 'independent bodies' that can meet without management. Today, all large and medium-sized banks have a well-developed structure of works councils, both at local and central level. The unions have succeeded in getting members elected to works councils.

Since the late 1970s, groups of female employees came into being in the large banks.²¹² In 1978, a women's group exists at NMB-bank. After some years, this group became a Works Council commission. In 1980, the women's group at AMRO-bank was set up, and soon became a Works Council committee. From the very beginning in 1981, the ABN-bank women's group was set up as a Works Council committee. It was not until 1986, that a women's group was set up as a Works Council committee at RABO. These groups had very similar demands: part-time employment, preferably at all job levels, child care, leave arrangements, and an increase of female employees in jobs where they were underrepresented. These groups lasted throughout the 1980s, but in the 1990s they vanished, presumably because many of their demands had been fulfilled meanwhile. Yet, the proportion of female

²⁰⁹ NIBE Bankenboekje, 1999

²¹⁰ Visser & Jongen, 1999

²¹¹ Visser & Jongen, 1999

workers a higher job levels hardly had increased during the 1980s. The Works councils committees had not so much perceived this as a major goal. Other groups were needed, and they came into being in the second half of the 1980s. The Foundation Women's Network set up a branch for the banking sector. Throughout the 1990s, these groups remained active, initiating both mutual membership support and pressuring management to increase women's careering into managerial levels.

Throughout the 1980s and 1990s, the impact of the women's groups within the banks has been important, though over time they came from different angles and origins. There has been a strand of groups that was related closely to the Works Councils, aiming to have work floor female workers, whereas university women felt the need to organise in women's Network groups. For the banks, the Foundation of Women's Networks, in particular the division of Women in financial services, has been important.²¹³

Structure of the workforce

The forerunners of ABNAMRO had shown continuous employment growth until the early 1980s, when employment declined, in particular for AMRO. In 1990, when the banks merged, employment totalled 37,000 and in the year to follow this number declined to 34,000. However, since 1996 the banks face expanding business. Since, employment at ABNAMRO increased to 35,000 now.

Since 1975, when RABO for the first time published employment figures, its work force has shown continuous growth until the early 1990s, when a few years of decline is noticed.²¹⁴ Yet, since the mid-1990s, employment increases again. For the forerunner of ING, NMB-bank, employment figures are known from 1970 onwards. The work force increases until 1983, then continues to decline until the early 1990s. After the merger no employment figures are available for the bank only.

RABO, the co-operative, predominantly agricultural bank, has by far the most branches within the country. The workforce resembles the decentralised organisation structure. More than one third of the staff is employed as counter employee, which is less than one quarter at ABNAMRO. On the other hand, the latter employs more commercial advisers (25 percent of the work force) and more staff officers (21 percent), compared to 22 percent respectively 10 percent at RABO.²¹⁵

For the past decades, like the other large banks, ABNAMRO has been a sound employer. In the large banks, no mass redundancies have been seen. Money business depend heavily on the publics' trust and therefore banks are reluctant to dismissals. On the other hand, most of the collective agreements in the past years had no clauses job creation for young unemployed.

²¹² Tijdens, 1989: 232-3

²¹³ Oosterhuis-Geerts, 1993: 102

²¹⁴ Tijdens, 1995

²¹⁵ These percentages are based on a survey, held in 1996 in all large and medium-sized banks.

Equal opportunities policies

Equal opportunities policies are rooted into two different areas. In the late 1970s a few studies examine equal opportunities in banking. Although these studies were to a minor extent initiated by the banks themselves, the results quite obviously led to management policies towards equal opportunities. The first study is held at ABN. In 1977 the Labour Inspectorate draws a study on equal opportunities for women. In 1979, a personnel officer at NMB bank examines women's position at the bank.²¹⁶ In 1980, the University of Rotterdam draws a detailed PhD study at AMRO.²¹⁷ Although the design of the studies vary among banks, the results make clear that female employees prefer a lifelong career at the bank, instead of quitting the company at their wedding-day, what they had done until now. These studies indicate a major change in women's labour supply.

In the same period, but independently of these studies, in several banks female employees set up pressure groups. Their pressure also has resulted in management's policies towards equal opportunities. The first women's groups in the banks date from the late 1970s. At AMRO bank, the forerunner of ABNAMRO, a women's group demanded part-time employment, child care and access to managerial jobs. The goal to increase the proportion of women among university graduates taken on as management trainees was easily met within just a few years.²¹⁸ As early as 1982, the banks Board of Directors announced a statement regarding the female workforce, including activities to promote women resources management and changes in the organisational culture, in particular by making a video movie, that was presented for most of the higher level staff. Probably the combined effects of the two ways in which the absence of equal opportunities policies were attacked, both from the studies and from the women's pressure groups, led to results.

ABN was the first bank to become aware of gender inequality. The Labour Inspectorate of the Ministry of Social Affairs chose for whatever reasons the bank to examine for equal opportunities for men and women. From 1979 on, in its four-year social plan the bank added the issue 'women in the work force'. In 1984, two years after AMRO, the Board of Directors of ABN formally adopted an equal opportunity policy for women.²¹⁹ In jobs and courses in which women are under-represented, preferential treatment will be applied for women. However, preferential treatment in general is a step too far, according to the bank. Furthermore, the bank's personnel journal includes a substantial number of articles on the issue of women. In 1988, at ABN the very active women's committee of the works council was supported by a few members of the management team, leading to the development of a positive action plan and the appointment of a positive action officer. Five years and a merger later, the results are predominantly found

²¹⁶ Van den Berg-Wink, 1980

²¹⁷ De Jong 1985

²¹⁸ De Jong & Bock, 1995: 194

²¹⁹ De Jong & Bock, 1995: 195

in middle management, where the share of women has increased substantially. Women's share in the higher ranks has not shown substantial increase, but is expected to rise in the years to come, according to interviewed managers in 1993.²²⁰ After the merger new initiatives were taken, and new women's groups were set up, according to the same study. From the very beginning ABNAMRO became a subsidiary of *Opportunity in Business*, an organisation already discussed in chapter 3.

In the 1980s, all large Dutch banks developed an equal opportunities policy. Initially, this policy mostly aimed at facilitating women to reconcile work and family, including child care arrangements, part-time employment, leave facilities and re-entry-clauses for women who had quit their job at the bank because of pregnancy. In comparison to other sectors the facilities in the banking sector are good. Most results can be seen regarding the pillar of reconciliation of work and family, not within the pillar of strengthening women's employment.

In the late 1980s and early 1990s, female employees entered middle management levels, but their proportion did hardly increase in higher managerial levels. Within the equal opportunities policies, the banks did not pay attention to women's absence in the highest grades. Yet, in the mid-1990s, the attitude changed. Increasingly, equal opportunities policies are aimed at stimulating female workers to enter higher level positions within the bank. ING bank joined *Opportunity in Business*, while ABNAMRO been a signatory from the very beginning.

Even RABO bank has implemented an emancipation policy, although this is less centralised compared to the other two banks. Yet, Wijffels, at that time the bank's chairman, openly said to be in favour of increased careering of women at the bank. In He announces two remarkable actions.²²¹ For the first time in history, the bank's Board of Directors will include a woman. Second, the bank will experiment part-time employment in management jobs. A year later, the bank's spokesman says that this more or less follows the longer existing bank's policy to aim at equal numbers of male and female participants in the bank's trainee positions. The chairman also argued that the bank's strategy includes feminine values such as empathy, a social attitude, awareness of ecological problems, and helpfulness in se

In 1996, ING-bank developed the view that work force composition had to reflect the society in general, which predominantly meant that the gender-typing of the work force had to reflect the gender-typing of the clientele. In its policy, the bank says not to focus on women's backward position, but instead on equality and equal opportunities.²²² The bank aims to increase the number of women in higher level jobs. Therefore, ING joined *Opportunity in Business*, that supports ING with its Management-Development-policy. However, a project aiming at increased recruitment of women in IT-jobs, mostly programmers and

²²⁰ Oosterhuis-Geerts, 1993

²²¹ Wijffels op bijeenkomst Vruwennetwerk: 'Vrouwen hard nodig voor realisatie ambities Rabobank'. In Rabokrant, 1998-04-27

²²² Personeelsbestand: afspiegeling van de samenleving. In ING Sociaal Jaarverslag 1996, p. 4

systems analysts, failed.²²³ The companies' IT-centre had contacted a well-known school for female re-entrants, the so-called *Vrouwenvakhschool*. Probably the women that left the school were qualified at lower levels than the bank had expected.

Some reflections on the future

Overlooking more than two decades of awareness of the need for an equal opportunities in all large banks, we must conclude that women's employment in the banks has improved tremendously. Nowadays, it is quite common for an employee, female or male, to change weekly working hours back and forth, mostly dependig on family phase. Part-time employment is possible, since a few years even at higher managerial levels. Unpaid parental leave has become common. Child care arrangements are paid for by the banks, according to their CLA. The introduction of the 36-hours working week has enabled women to work for four days of nine hours, instead of five days of eight hours as they used to do.

The totally segregated domains of male and female employees, as used to be the case in the 1950s and 1960s, have gradually solved. However, banks are nevertheless no fully gender-integrated organisations, although the women make up about half of the work force. Yet, step by step progress will be made in the next millennium.

Although Olgati and Shapiro (1998) found that an increasing number of organisations in Europe considers equality to be linked directly with improving overall performance and recognises it as a powerful tool for achieving innovation and change, we did not come along such cases in the Dutch banks. The dominant reason why managers develop equal opportunities programs is because they fear an old-fashioned image when they do not do so.

²²³ Uitkijken naar vrouwelijke talenten. In ING Sociaal Jaarverslag 1997, p. 6

Chapter 8

Conclusions about equal opportunities policies

In this report we studied equal opportunities policies in Dutch firms. Additionally, we reviewed equal opportunities policies in collective labour agreements and in legislation. Within the broad domain of equal opportunities policies four pillars have been distinguished, notably:

1. the reconciliation of work and family, including leave regulations and child care;
2. strengthening women resources management, including topics such as preferential treatment, target numbers, and career counselling
3. degendering organisational cultures, among which combating sexual harassment, and changing gender-stereotype thinking
4. equalising pay and working conditions, aiming at equal pay, reviewing job classification, and equal conditions in full-time and part-time jobs.

In the past two decades, substantial attention was paid to equal opportunities policies for women and men, in legislation, in CLA's, and in firms. The policies in the pillar of reconciliation of work and family appeared to be the ones that were most easily realised in legislation, in CLA's and in firms. Child care has shown a tremendous growth, from nearly zero places in the late 1980s to more than 70,000 places in 1995. Maternity leave was enlarged, and an unpaid parental leave Act passed. In the public sector a 75 percent pay during parental leave was agreed, though recently the municipalities argued that this was too costly.

The policies in the pillar of strengthening women resources management were mainly located in the CLA's and in the firms. Quite a few firms have set target numbers. Soon, it became apparent that the target numbers for lower level staff are not at all difficult to meet, but that the target numbers for higher job levels are extremely difficult to meet. Moreover, plans to set targets for managerial jobs, usually met great resistance in the organisation. If targets were set, they appeared to be extremely difficult to meet, and quite common, they were removed after a couple of years.

The policies towards degendering organisational cultures aimed predominantly at combating sexual harassment. It was incorporated in the Act on Working Conditions, it was rather quickly incorporated in most CLA's, and firms developed a policy towards sexual harassment. A policy towards changing gender-

stereotype thinking was found only in two extremely male-dominated organisations, the police and the armed forces. For many years they aimed to incorporate female police officers and military staff. The overall finding was that an increasing number of women indeed entered the organisations, but that they were likely to quit within a few years.

The policies towards equalising pay and working conditions appeared to be very successful. Both legislation and CLA's were reviewed thoroughly, and all discriminatory clauses were removed. In particular, the policies towards equalising full-time and part-time employment have been of great importance, because two third of the female labour force are employed in part-time jobs. Now, part-time jobs have been prevented from being marginalised.

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